

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 13, 2003**

**TO:** Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB2212** by Mowery (Relating to the continuation of legal land use in newly incorporated areas.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Local Government Code to require that a municipality incorporated after January 1, 2003 cannot prohibit a person from continuing to use land in the area in the manner in which the land was being used on the date of incorporation if the land use was legal at that time or if other criteria are met if the land use was newly begun or planned more than 90 days before the effective date of incorporation. The municipality, however, would be able to impose certain regulations.

The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, it would take effect September 1, 2003.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JK, CL, DLBa