

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

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

**April 1, 2003**

**TO:** Honorable Anna Mowery, Chair, House Committee on Land & Resource Management

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

**IN RE: HB2506** by Casteel (Relating to the regulation of the subdivision of land under the jurisdiction of counties.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would authorize a county that has elected to do so by an order adopted by the commissioners court to operate under Subchapter B of Section 232, Local Government Code, which relates to platting requirements in a county near an international border. Counties operating under Subchapter B would be required to meet minimum state standards relating to Chapter 16, Water Code, regardless of any limitations within Chapter 16.

The bill would add to the requirements of a county with regard to regulating a subdivision, that the county commissioners court, for each subdivision, must adopt reasonable specifications that provide for drainage in the subdivision that provides efficient management of stormwater runoff and coordinates subdivision drainage with the general storm drainage pattern for the area.

The commissioners court would be authorized to require certain plat applications to include a statement prepared by a Texas-licensed engineer or geoscientist certifying that adequate groundwater is available for the subdivision. The Texas Commission on Environmental Quality (TCEQ) would be required to establish the form and content of the certification.

A person who purchases a lot after September 1, 2003 in a subdivision for residential purposes that does not have water and sewer services as required by Subchapter B, would be authorized to file suit.

The bill would take effect September 1, 2003 and would apply only to a tract of land subdivided on or after that date.

According to TCEQ, the responsibilities set out in the bill for the agency could be absorbed using existing resources. Setting additional requirements for subdivisions would not result in significant costs for local government.

**Local Government Impact**

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

**Source Agencies:** 582 Commission on Environmental Quality

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