

## **BILL ANALYSIS**

C.S.H.B. 266  
By: Smith, Wayne  
Land & Resource Management  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, there are no time limits placed on counties regarding their processing of permits. The time between applying for and the approval of a permit can range from six weeks to seven months. C.S.H.B. 266 requires counties to review a permit application within six weeks of its filing. If the permit is not approved, the county is required to send a letter to the applicant that discusses the problems with the application or to meet with the applicant. If the builder addresses the problems and resubmits the application, the county has one month to approve or reject the application or all permit fees are waived.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Chapter 233, Local Government Code, by adding Subchapter Z, as follows:

Requires a county to grant, deny, inform an applicant of problems with a permit application (excluding on-site sewage disposal systems), or attempt to reach an agreement with the applicant within 45 days of the permit being filed.

Requires a county to grant or deny a permit within 30 days of notifying the applicant of problems with the application. Mandates that all county permit fees are waived if it fails to act on an application within the 30 day period.

SECTION 2. Act prospective.

SECTION 3. Effective date.

### **EFFECTIVE DATE**

September 1, 2005

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.H.B. is a Legislative Council draft that changes the language of SECTION 1 to exclude permits for on-site sewage disposal systems.