

## **BILL ANALYSIS**

H.B. 3473  
By: Chavez  
Border and International Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

County commissioners courts have authority to regulate subdivisions outside the limits of a municipality and land owners are required to prepare a plat of a subdivision if a tract is divided into two or more parts for certain purposes.

House Bill 3473 allows the attorney general to exempt certain land from the platting requirement for eligible subdividers desiring to make improvements to an existing colonia.

### **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 Section 232.023(a), Local Government Code, is amended to provide an exemption under Sec. 232.025, Local Government Code, from the platting requirement for a subdivision.

SECTION 2 Adds Section 232.0235, Local Government Code, to create an exemption from the platting requirement for a subdivision.

Provides that a subdivider of land is not required to have a plat of a subdivision prepared if the subdivider receives a waiver from the attorney general. The bill allows the attorney general to grant a waiver only to a Section 501(c)(3) nonprofit corporation exempted from federal income taxation under the Internal Revenue Code of 1986.

A nonprofit corporation is eligible for a waiver if it requests the waiver as part of a demonstrable plan to make improvements to an existing colonia to bring the colonia into compliance with relevant provisions of the Health and Safety Code. "Colonia" has the meaning assigned by Section 775.001, Government Code.

SECTION 3 Amends Sections 232.029(a) and (b), Local Government Code, to include the exemption provided for in Section 232.0235, as added by this Act. The two subsections relate to offering water, sewer, electricity, or gas services in subdivided land without approval from the commissioners court.

SECTION 4 Requires the attorney general to develop, as soon as practicable after the effective date, a procedure by which to grant waivers to subdividers of land in certain counties near an international border, as provided by Section 232.0235, Local Government Code, as added by this Act.

SECTION 5 The Act takes effect September 1, 2005.

### **EFFECTIVE DATE**

September 1, 2005