

By: Swinford

H.B. No. 3288

A BILL TO BE ENTITLED

AN ACT

1
2 relating to municipal authority over certain property that is
3 subject to an agreement.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 242.001, Local Government Code, is
6 amended by adding Subsection (j) to read as follows:

7 (j) This subsection applies to property that is located
8 within a "district," as defined by Section 49.002, Water Code, is
9 within the extraterritorial jurisdiction of a municipality, and the
10 development of the property is the subject of a written agreement
11 between the property owner and the municipality that was effective
12 prior to January 1, 2005, and was recorded in the real property
13 records. If as of January 1, 2005, the municipality and the county
14 have not entered into an agreement as required by Section 242.001,
15 designating which entity is authorized to regulate subdivisions in
16 the municipality's extraterritorial jurisdiction, the municipality
17 shall have sole authority to regulate subdivisions and approve
18 related permits, including plats, with respect to property that is
19 subject to this subsection, unless provided otherwise in the
20 agreement between the municipality and the property owner.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

H.B. No. 3288

1 Act takes effect September 1, 2005.