

By: Madla

S.B. No. 1430

A BILL TO BE ENTITLED

AN ACT

relating to the subdivision of land in the unincorporated area of certain counties.

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

SECTION 1. Section 232.022, Local Government Code, is amended to read as follows:

Sec. 232.022. APPLICABILITY. (a) This subchapter applies only to a county any part of which is located within 50 miles of an international border.

(b) This subchapter applies only to a division of land in the jurisdiction of the county [~~that is subdivided~~] into two or more parts to lay out:

(1) a subdivision of the tract, including an addition;

(2) lots; or

(3) streets, alleys, squares, parks, or other parts of

the tract intended to be dedicated to public use or for the use of

purchasers or owners of lots fronting on or adjacent to the streets,

alleys, squares, parks, or other parts [~~that are intended primarily~~

~~for residential use in the jurisdiction of the county. A lot is~~

~~presumed to be intended for residential use if the lot is five acres~~

~~or less. This subchapter does not apply if the subdivision is~~

~~incident to the conveyance of the land as a gift between persons~~

~~related to each other within the third degree by affinity or~~

~~consanguinity, as determined under Chapter 573, Government Code].~~

1 (c) For purposes of this section, land is considered to be
2 in the jurisdiction of a county if the land is located in the county
3 and outside the corporate limits of municipalities.

4 (d) This subchapter does not apply if the owner does not lay
5 out a part of the tract described by Subsection (b)(3) and:

6 (1) the division is incident to the conveyance of the
7 land as a gift between persons related to each other within the
8 third degree by affinity or consanguinity, as determined under
9 Chapter 573, Government Code; or

10 (2) each of the lots [~~of the subdivision~~] is 10 or more
11 acres.

12 SECTION 2. The change in law made by this Act applies only
13 to a conveyance or division of property that is completed on or
14 after the effective date of this Act. For purposes of this Act, a
15 conveyance or division of property is completed before the
16 effective date of this Act if the subdivision plat or record of
17 conveyance is filed before that date with the appropriate county
18 clerk for recording in the real property records of the county.

19 SECTION 3. This Act takes effect September 1, 2005.