

1-1 By: Madla S.B. No. 1430  
1-2 (In the Senate - Filed March 10, 2005; March 21, 2005, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 7, 2005, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; April 7, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the subdivision of land in the unincorporated area of  
1-9 certain counties.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 232.022, Local Government Code, is  
1-12 amended to read as follows:

1-13 Sec. 232.022. APPLICABILITY. (a) This subchapter applies  
1-14 only to a county any part of which is located within 50 miles of an  
1-15 international border.

1-16 (b) This subchapter applies only to a division of land in  
1-17 the jurisdiction of the county [~~that is subdivided~~] into two or more  
1-18 parts to lay out:

1-19 (1) a subdivision of the tract, including an addition;

1-20 (2) lots; or

1-21 (3) streets, alleys, squares, parks, or other parts of

1-22 the tract intended to be dedicated to public use or for the use of

1-23 purchasers or owners of lots fronting on or adjacent to the streets,

1-24 alleys, squares, parks, or other parts [~~that are intended primarily~~

1-25 ~~for residential use in the jurisdiction of the county. A lot is~~

1-26 ~~presumed to be intended for residential use if the lot is five acres~~

1-27 ~~or less. This subchapter does not apply if the subdivision is~~

1-28 ~~incident to the conveyance of the land as a gift between persons~~

1-29 ~~related to each other within the third degree by affinity or~~

1-30 ~~consanguinity, as determined under Chapter 573, Government Code].~~

1-31 (c) For purposes of this section, land is considered to be  
1-32 in the jurisdiction of a county if the land is located in the county  
1-33 and outside the corporate limits of municipalities.

1-34 (d) This subchapter does not apply if the owner does not lay  
1-35 out a part of the tract described by Subsection (b)(3) and:

1-36 (1) the division is incident to the conveyance of the

1-37 land as a gift between persons related to each other within the

1-38 third degree by affinity or consanguinity, as determined under

1-39 Chapter 573, Government Code; or

1-40 (2) each of the lots [~~of the subdivision~~] is 10 or more

1-41 acres.

1-42 SECTION 2. The change in law made by this Act applies only  
1-43 to a conveyance or division of property that is completed on or  
1-44 after the effective date of this Act. For purposes of this Act, a

1-45 conveyance or division of property is completed before the  
1-46 effective date of this Act if the subdivision plat or record of

1-47 conveyance is filed before that date with the appropriate county  
1-48 clerk for recording in the real property records of the county.

1-49 SECTION 3. This Act takes effect September 1, 2005.

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