

By: Carona

S.B. No. 1659

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 49.001, Water Code, and the  
9 extraterritorial jurisdiction of a municipality, and the  
10 development of which is the subject of a written agreement that is  
11 between the property owner and the municipality, is effective  
12 before January 1, 2005, and is recorded in the real property records  
13 of the county in which the property is located. If the municipality  
14 and the county in which the property is located have not entered  
15 into an agreement as required by this section on or before January  
16 1, 2005, that designates the entity authorized to regulate  
17 subdivisions in the municipality's extraterritorial jurisdiction,  
18 the municipality has exclusive authority to regulate subdivision  
19 plats and approve related permits with respect to the property,  
20 unless otherwise provided by the agreement between the municipality  
21 and the property owner.

22 SECTION 2. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2005.