

1-1 By: Carona S.B. No. 1659
1-2 (In the Senate - Filed March 11, 2005; March 30, 2005, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 26, 2005, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 April 26, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1659 By: Brimer

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to municipal authority over certain property that is
1-11 subject to an agreement.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 242.001, Local Government Code, is
1-14 amended by adding Subsection (j) to read as follows:

1-15 (j) This subsection applies to property that is located
1-16 within a district, as defined by Section 49.001, Water Code, and the
1-17 extraterritorial jurisdiction of a municipality, and the
1-18 development of which is the subject of a written agreement that is
1-19 between the property owner and the municipality, is effective
1-20 before January 1, 2005, and is recorded in the real property records
1-21 of the county in which the property is located. If the municipality
1-22 and the county in which the property is located have not entered
1-23 into an agreement as required by this section on or before January
1-24 1, 2005, that designates the entity authorized to regulate
1-25 subdivisions in the municipality's extraterritorial jurisdiction,
1-26 the municipality has exclusive authority to regulate subdivision
1-27 plats and approve related permits with respect to the property,
1-28 unless otherwise provided by the agreement between the municipality
1-29 and the property owner.

1-30 SECTION 2. This Act takes effect immediately if it receives
1-31 a vote of two-thirds of all the members elected to each house, as
1-32 provided by Section 39, Article III, Texas Constitution. If this
1-33 Act does not receive the vote necessary for immediate effect, this
1-34 Act takes effect September 1, 2005.

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