

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 7, 2005

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB425 by Hinojosa (Relating to subdivision platting requirements and assistance for certain counties near an international border.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code relating to serving or connecting land with water, sewer, electricity, gas, or other utility service by a municipality, county, special district, or certain water supply or sewer service corporation to specify applicability in counties located within 50 miles of the border of Mexico and a county located within 100 miles of the international border and that contains the majority of the area of a municipality with a population of 250,000 or more. Certain land in a municipality's extraterritorial jurisdiction could be excluded from applicability.

Nueces County is currently the only county to which the specification applies that a county must be within 100 miles of the international border and that contains the majority of the area of a municipality with a population of more than 250,000.

The bill would also include Nueces County when addressing connection of utilities in counties within 50 miles of the Mexico border, and would add a new section to the Local Government Code that applies only to Nueces County regarding connection of utilities.

Nueces County would be included with international border counties with regard to lawsuits by private persons in economically distressed areas as those suits relate to the purchase of property that does not have water and sewer services and with regard to variance from platting requirements.

Additionally, the bill would amend the Government Code, the Utilities Code, and the Water Code to include Nueces County as a colonia, as a county relating to refusal or prohibition of service, and as a county eligible for financial assistance.

The bill would take effect September 1, 2005.

Local Government Impact

The changes to the Local Government Code that would apply to counties within 50 miles of an international border do not make substantial changes to how the code affects those counties; therefore, the fiscal impact would be insignificant.

The changes in the Local Government Code and the other codes listed would apply only to Nueces County. Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 307 Secretary of State

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