

BILL ANALYSIS

H.B. 2096
By: Quintanilla
Border & International Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The requirements for obtaining utility hookups impose an unfair restriction on dwellings that were constructed before current platting laws were in place. These properties have had utility service in the past and are located within small communities of dwellings that also have utility service. The intent of the platting laws was to prevent new substandard dwellings that have no wastewater or potable water available. The existing dwellings, which were grandfathered until recently, are unfairly restricted in the same way as new dwellings. Owners of existing dwellings are required to satisfy requirements that were meant for new dwellings. If for some reason, the dwelling is cut off from utility service, the reconnection is contingent on the owner meeting platting requirements meant for newer dwellings. This is inherently unfair to owners who had homes in existence before January 1, 2001.

The purpose of H.B. 2096 is to grandfather dwellings that received utility services before January 1, 2001, from the current requirements regarding the connection of utilities in certain counties near an international border.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2096 amends the Local Government Code by authorizing the commissioners court to allow a utility to provide services to subdivided land in accordance with the provisions of this Act.

In addition, the bill prohibits a utility from providing service to subdivided land as described by this Act if, on or after September 1, 2007, any portion of that land is improved or if any existing improvements on that land are modified.

EFFECTIVE DATE

September 1, 2007.