

## **BILL ANALYSIS**

C.S.H.B. 3768  
By: Smith, Todd  
Land & Resource Management  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, municipalities are required by law to hold a public hearing before executing any change in zoning classification. The hearing must be at least 10 days before the proposed zoning change and notice must be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the proposed change is located. A municipality is not required to give notice to those property owners whose property is within 200 feet of a proposed zoning change, but whose names are not on the municipality's tax rolls.

The purpose of C.S.H.B. 3768 is to require municipalities to make reasonable efforts to notify all owners of real property within 200 feet of any proposed zoning change by mail and newspaper announcements.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

This bill amends Section 211.007(c), Local Government Code, to require the zoning commission of a municipality to notify in writing each owner of any real property located within 200 feet of a proposed zoning change as indicated by the most recently approved county tax roll if that property is not included on the most recent municipal tax roll.

This bill provides for an effective date of September 1, 2007.

### **EFFECTIVE DATE**

September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The Original requires the zoning commission of a municipality to make a reasonable effort to locate the owner of any real property that is within 200 feet of a proposed zoning change; is outside the municipality; and is not included on the most recent municipal tax roll; and to provide written notice as well as notice in a newspaper of any public hearings concerning the proposed zoning change.

The Committee Substitute requires the zoning commission of a municipality to notify in writing each owner of any real property located within 200 feet of a proposed zoning change as indicated by the most recently approved county tax roll if that property is not included on the most recent municipal tax roll.