

## **BILL ANALYSIS**

Senate Research Center

S.B. 1867  
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Intergovernmental Relations  
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Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Existing law does not authorize counties to file plat amendments to correct minor errors in an expedited manner, which creates a burden to both the development community and local government.

S.B. 1867 authorizes counties to file plat amendments to correct minor plat errors and omissions. S.B. 1867 also authorizes a commissioners court to require certain fire suppression systems in certain areas.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 232, Local Government Code, by adding Section 232.011, as follows:

Sec. 232.011. AMENDING PLAT. (a) Authorizes the commissioners court to approve and issue an amending plat, if it is signed by the applicants and filed for one or more of certain purposes.

(b) Provides that the amending plat controls over the preceding plat without vacation, revision, or cancellation of the preceding plat.

(c) Provides that notice, a hearing, and the approval of the other lot owners are not required for the filing recording, or approval of an amending plat.

SECTION 2. Amends Subchapter B, Chapter 232, Local Government Code, by adding Section 232.044, to authorize the commissioners court to approve and issue an amending plat in the same manner, for the same purposes, and subject to the same related provisions as provided by Section 232.011.

SECTION 3. Amends Subchapter C, Chapter 232, Local Government Code, by adding Section 232.081, to authorize the commissioners court to approve and issue an amending plat in the same manner, for the same purposes, and subject to the same related provisions as provided by Section 232.011.

SECTION 4. Amends Section 232.101(b), Local Government Code, to include a plat or subdivision in an adjoining county or road access to a plat or subdivision in an adjoining county as areas which the commissioners court is prohibited from regulating, unless otherwise authorized by state law.

SECTION 5. Amends Subchapter E, Chapter 232, Local Government Code, by adding Sections 232.108 and 232.109, as follows:

Sec. 232.108. PLAT REQUIREMENTS. (a) Authorizes the commissioners court, in addition to having the authority to adopt rules under Section 232.101 (regarding rules related to county regulation of subdivisions) and other authority granted by this chapter,

to impose the plat requirements prescribed by Section 232.023 (Plat Required). Requires any rules adopted under Section 232.101 to be consistent with plat requirements imposed by the commissioner's court under Section 232.023.

(b) Provides that the document required by Section 232.023(b)(6) (regarding water and sewer facilities in a subdivision) is not required to be in Spanish and requires the plat requirements related to drainage to be those authorized by Section 232.003(8) (regarding storm drainage) rather than those authorized by Section 232.023(b)(8), if a county imposing the plat requirements prescribed by Section 232.023 is not described by Section 232.022(a) (regarding counties near an international border applicable to subdivision platting requirements).

Sec. 232.109. FIRE SUPPRESSION SYSTEM. Authorizes the commissioners court to require a limited fire suppression system that requires a developer to construct 2,500 gallons of storage for a subdivision of fewer than 50 houses and construct 2,500 gallons of storage with a centralized water system or 5,000 gallons of storage for a subdivision of 50 or more houses, in a subdivision that is not served by fire hydrants as part of a centralized water system certified by the Texas Commission on Environmental Quality (TCEQ) as meeting minimum standards for water utility service.

SECTION 6. Repealer: Section 232.100 (regarding applicability of Subchapter E. Infrastructure Planning Provisions in Certain Urban Counties), Local Government Code.

SECTION 7. Effective date: September 1, 2007.