

By: Murphy

H.B. No. 1857

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the identification and administration of land located
3 in a future transportation corridor of a county.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter H, Chapter 201, Transportation Code,
6 is amended by adding Section 201.620 to read as follows:

7 Sec. 201.620. COOPERATIVE PLANNING WITH COUNTIES. (a) The
8 department and a county with a population of 750,000 or less may
9 enter into an agreement for the purpose of identifying future
10 transportation corridors within the county. The corridors
11 identified in the agreement must be derived from existing
12 transportation plans adopted by the department or commission, the
13 county, or a metropolitan planning organization.

14 (b) The department shall publish in the Texas Register and
15 in a newspaper of general circulation in the county with whom the
16 department has entered into an agreement under Subsection (a) a
17 notice that copies of the agreement and all plans referred to by the
18 agreement are available at one or more designated department
19 offices.

20 SECTION 2. Section 232.001(b), Local Government Code, is
21 amended to read as follows:

22 (b) To be recorded, the plat must:

23 (1) describe the subdivision by metes and bounds;

24 (2) locate the subdivision with respect to an original

1 corner of the original survey of which it is a part; ~~and~~

2 (3) state the dimensions of the subdivision and of
3 each lot, street, alley, square, park, or other part of the tract
4 intended to be dedicated to public use or for the use of purchasers
5 or owners of lots fronting on or adjacent to the street, alley,
6 square, park, or other part; and

7 (4) if the subdivision is located on land within a
8 future transportation corridor identified in an agreement under
9 Section 201.620, Transportation Code, state that fact.

10 SECTION 3. Subchapter A, Chapter 232, Local Government
11 Code, is amended by adding Section 232.0033 to read as follows:

12 Sec. 232.0033. DEVELOPMENT IN FUTURE TRANSPORTATION
13 CORRIDORS. (a) This section applies to a subdivision located on
14 land within a future transportation corridor identified in an
15 agreement under Section 201.620, Transportation Code.

16 (b) Each purchase contract or lease made between a
17 subdivider and a purchaser or lessee of land in the subdivision
18 shall contain a statement that the land is within a future
19 transportation corridor.

20 SECTION 4. Section 232.023, Local Government Code, is
21 amended by adding Subsection (c-1) to read as follows:

22 (c-1) If the subdivision is located on land within a future
23 transportation corridor identified in an agreement under Section
24 201.620, Transportation Code, a plat required under this section
25 must state that fact.

26 SECTION 5. Subchapter B, Chapter 232, Local Government
27 Code, is amended by adding Section 232.0251 to read as follows:

1 Sec. 232.0251. DEVELOPMENT IN FUTURE TRANSPORTATION
2 CORRIDORS. (a) This section applies to a subdivision located on
3 land within a future transportation corridor identified in an
4 agreement under Section 201.620, Transportation Code.

5 (b) Each purchase contract or lease made between a
6 subdivider and a purchaser or lessee of land in the subdivision
7 shall contain a statement that the land is within a future
8 transportation corridor.

9 SECTION 6. Section 232.100, Local Government Code, is
10 amended to read as follows:

11 Sec. 232.100. APPLICABILITY. This subchapter applies only
12 to the subdivision of the land that is[+]

13 ~~[(1)]~~ subject to county regulations under Subchapter A
14 or B[+ and

15 ~~[(2) in a county that:~~

16 ~~[(A) has a population of 150,000 or more and is~~
17 ~~adjacent to an international border,~~

18 ~~[(B) has a population of 700,000 or more,~~

19 ~~[(C) is adjacent to a county with a population of~~
20 ~~700,000 or more and is within the same metropolitan statistical~~
21 ~~area as that adjacent county, as designated by the United States~~
22 ~~Office of Management and Budget, or~~

23 ~~[(D) is adjacent to a county with a population of~~
24 ~~700,000 or more, is not within the same metropolitan statistical~~
25 ~~area as that adjacent county, and has a population that has~~
26 ~~increased after the 1990 decennial census, from one decennial~~
27 ~~census to the next, by more than 40 percent].~~

1 SECTION 7. Section 232.102, Local Government Code, is
2 amended to read as follows:

3 Sec. 232.102. MAJOR THOROUGHFARE PLAN. By an order adopted
4 and entered in the minutes of the commissioners court and after a
5 notice is published in a newspaper of general circulation in the
6 county, the commissioners court may:

7 (1) require the dedication of land for use as a state
8 highway in accordance with a major thoroughfare plan adopted by the
9 county or the metropolitan planning organization of the region;

10 (2) require a right-of-way on a street or road that
11 functions as a major thoroughfare of a width of not more than 120
12 feet; or

13 (3) [~~(2)~~] require a right-of-way on a street or road
14 that functions as a major thoroughfare of a width of more than 120
15 feet, if such requirement is consistent with a transportation plan
16 adopted by the metropolitan planning organization of the region.

17 SECTION 8. This Act applies only to a plat filed on or after
18 the effective date of this Act.

19 SECTION 9. This Act takes effect September 1, 2007.