

By: Kuempel

H.B. No. 3604

A BILL TO BE ENTITLED

AN ACT

relating to the notice of the project given with the filing of certain permit applications with local regulatory agencies.

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

SECTION 1. Subsection (a-1), Section 245.002, is amended to read as follows:

(a-1) Rights to which a permit applicant is entitled under this chapter accrue on the filing of an original application or plan for development or plat application that gives the regulatory agency [~~fair~~] notice of the project and the nature of the permit sought. To give notice, the applicant shall provide to the regulatory agency a written summary describing the project and the land encompassed within the project, including only the following: the nature of the permit sought; a depiction of existing and proposed buildings and their location; number of acres or square feet; existing and proposed zoning and uses; tax parcel numbers; existing or pending zoning cases, restrictive covenants or site plans; name, address and telephone number of owner or owner's agent; whether the project is adjacent to or has access to a principal roadway; legal description of the project; scope and nature of the project; and rules and regulations the applicant seeks to apply to the project. An application or plan is considered filed on the date the applicant delivers the application or plan to the regulatory agency or deposits the application or plan with the

1 United States Postal Service by certified mail addressed to the
2 regulatory agency. A certified mail receipt obtained by the
3 applicant at the time of deposit is prima facie evidence of the date
4 the application or plan was deposited with the United States Postal
5 Service.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2007.