

By: Guillen

H.C.R. No. 293

CONCURRENT RESOLUTION

1 WHEREAS, Senate Bill No. 3 has been adopted by the house of
2 representatives and the senate and is being prepared for
3 enrollment; and

4 WHEREAS, The bill contains a technical error that should be
5 corrected; now, therefore, be it

6 RESOLVED by the 80th Legislature of the State of Texas, That
7 the enrolling clerk of the senate be instructed to make the
8 following corrections:

9 Add the following article and sections, appropriately
10 numbered, to the conference committee report and renumber
11 subsequent articles and sections of the conference committee report
12 accordingly:

13 ARTICLE ____ . REGULATION OF DEVELOPMENT

14 BY CERTAIN POLITICAL SUBDIVISIONS

15 SECTION __.01. Section 212.012, Local Government Code, is
16 amended by amending Subsections (a), (c), (d), (e), (f), (h), and
17 (i) and adding Subsections (j) and (k) to read as follows:

18 (a) Except as provided by Subsection (c), (d), or (j)
19 [~~Subsection (c)~~], an entity described by Subsection (b) may not
20 serve or connect any land with water, sewer, electricity, gas, or
21 other utility service unless the entity has been presented with or
22 otherwise holds a certificate applicable to the land issued under
23 Section 212.0115.

24 (c) An entity described by Subsection (b) may serve or

1 connect land with water, sewer, electricity, gas, or other utility
2 service regardless of whether the entity is presented with or
3 otherwise holds a certificate applicable to the land issued under
4 Section 212.0115 if:

5 (1) the land is covered by a development plat approved
6 under Subchapter B or under an ordinance or rule relating to the
7 development plat;

8 (2) the land was first served or connected with
9 service by an entity described by Subsection (b)(1), (b)(2), or
10 (b)(3) before September 1, 1987; or

11 (3) the land was first served or connected with
12 service by an entity described by Subsection (b)(4), (b)(5), or
13 (b)(6) before September 1, 1989~~;~~ ~~or~~

14 ~~[(4) the municipal authority responsible for~~
15 ~~approving plats issues a certificate stating that:~~

16 ~~[(A) the land:~~

17 ~~[(i) was sold or conveyed to the person~~
18 ~~requesting service by any means of conveyance, including a contract~~
19 ~~for deed or executory contract, before:~~

20 ~~[(a) September 1, 1995, in a county~~
21 ~~defined under Section 232.022(a)(1); or~~

22 ~~[(b) September 1, 2005, in a county~~
23 ~~defined under Section 232.022(a)(2);~~

24 ~~[(ii) is located in a subdivision in which~~
25 ~~the entity has previously provided service;~~

26 ~~[(iii) is located outside the limits of the~~
27 ~~municipality;~~

1 ~~[(iv) is located in a county to which~~
2 ~~Subchapter B, Chapter 232, applies; and~~

3 ~~[(v) is the site of construction of a~~
4 ~~residence, evidenced by at least the existence of a completed~~
5 ~~foundation, that was begun on or before.~~

6 ~~[(a) May 1, 1997, in a county defined~~
7 ~~under Section 232.022(a)(1); or~~

8 ~~[(b) September 1, 2005, in a county~~
9 ~~defined under Section 232.022(a)(2); or~~

10 ~~[(B) the land was not subdivided after September~~
11 ~~1, 1995, in a county defined under Section 232.022(a)(1), or~~
12 ~~September 1, 2005, in a county defined under Section 232.022(a)(2),~~
13 ~~and.~~

14 ~~[(i) water service is available within 750~~
15 ~~feet of the subdivided land; or~~

16 ~~[(ii) water service is available more than~~
17 ~~750 feet from the subdivided land and the extension of water service~~
18 ~~to the land may be feasible, subject to a final determination by the~~
19 ~~water service provider].~~

20 (d) In a county to which Subchapter B, Chapter 232, applies,
21 an entity described by Subsection (b) may serve or connect land with
22 water, sewer, electricity, gas, or other utility service that is
23 located in the extraterritorial jurisdiction of a municipality
24 regardless of whether the entity is presented with or otherwise
25 holds a certificate applicable to the land issued under Section
26 212.0115, if the municipal authority responsible for approving
27 plats issues a certificate stating that:

1 (1) the subdivided land:

2 (A) was sold or conveyed by a subdivider or
3 developer by any means of conveyance, including a contract for deed
4 or executory contract, before:

5 (i) September 1, 1995, in a county defined
6 under Section 232.022(a)(1);

7 (ii) September 1, 1999, in a county defined
8 under Section 232.022(a)(1) if, on August 31, 1999, the subdivided
9 land was located in the extraterritorial jurisdiction of a
10 municipality as determined by Chapter 42; or

11 (iii) September 1, 2005, in a county
12 defined under Section 232.022(a)(2);

13 (B) has not been subdivided after September 1,
14 1995, September 1, 1999, or September 1, 2005, as applicable under
15 Paragraph (A);

16 (C) is the site of construction of a residence,
17 evidenced by at least the existence of a completed foundation, that
18 was begun on or before:

19 (i) May 1, 2003, in a county defined under
20 Section 232.022(a)(1); or

21 (ii) September 1, 2005, in a county defined
22 under Section 232.022(a)(2); and

23 (D) has had adequate sewer services installed to
24 service the lot or dwelling;

25 (2) the subdivided land is a lot of record as defined
26 by Section 232.021(6-a) that is located in a county defined by
27 Section 232.022(a)(1) and has adequate sewer services installed

1 that are fully operable to service the lot or dwelling; or

2 (3) the land was not subdivided after September 1,
3 1995, in a county defined under Section 232.022(a)(1), or September
4 1, 2005, in a county defined under Section 232.022(a)(2), and:

5 (A) water service is available within 750 feet of
6 the subdivided land; or

7 (B) water service is available more than 750 feet
8 from the subdivided land and the extension of water service to the
9 land may be feasible, subject to a final determination by the water
10 service provider.

11 (e) An entity described by Subsection (b) may provide
12 utility service to land described by Subsection (d)(1), (2), or (3)
13 ~~[Subsection (c)(4)(A)]~~ only if the person requesting service:

14 (1) is not the land's subdivider or developer or the
15 subdivider's or developer's agent; and

16 (2) provides to the entity a certificate described by
17 Subsection (d) ~~[(c)(4)(A)]~~.

18 (f) ~~[(e)]~~ A person requesting service may obtain a
19 certificate under Subsection (d)(1), (2), or (3) ~~[Subsection~~
20 ~~(c)(4)(A)]~~ only if the person is the owner or purchaser of the
21 subdivided land and provides to the municipal authority responsible
22 for approving plats documentation containing ~~[either]~~:

23 (1) a copy of the means of conveyance or other
24 documents that show that the land was sold or conveyed by a
25 subdivider or developer ~~[to the person requesting service]~~ before
26 September 1, 1995, before September 1, 1999, or before September 1,
27 2005, as applicable under Subsection (d) ~~[, and a notarized~~

1 ~~affidavit by that person that states that construction of a~~
2 ~~residence on the land, evidenced by at least the existence of a~~
3 ~~completed foundation, was begun on or before May 1, 1997, or on or~~
4 ~~before September 1, 2005, as applicable]; [~~or~~]~~

5 (2) for a certificate issued under Subsection (d)(1),
6 a notarized affidavit by the person requesting service that states
7 that [~~the property was sold or conveyed to that person before~~
8 ~~September 1, 1995, or before September 1, 2005, as applicable, and~~
9 ~~that~~] construction of a residence on the land, evidenced by at least
10 the existence of a completed foundation, was begun on or before May
11 1, 2003, in a county defined by Section 232.022(a)(1) or September
12 1, 2005, in a county defined by Section 232.022(a)(2), and the
13 request for utility connection or service is to connect or serve a
14 residence described by Subsection (d)(1)(C);

15 (3) a notarized affidavit by the person requesting
16 service that states that the subdivided land has not been further
17 subdivided after September 1, 1995, September 1, 1999, or September
18 1, 2005, as applicable under Subsection (d); and

19 (4) evidence that adequate sewer service or facilities
20 have been installed and are fully operable to service the lot or
21 dwelling from an entity described by Subsection (b) or the
22 authorized agent responsible for the licensing or permitting of
23 on-site sewage facilities under Chapter 366, Health and Safety
24 Code. [~~May 1, 1997, or on or before September 1, 2005, as~~
25 applicable.

26 ~~[(f) A person requesting service may obtain a certificate~~
27 ~~under Subsection (c)(4)(B) only if the person provides to the~~

1 ~~municipal authority responsible for approving plats an affidavit~~
2 ~~that states that the property was not sold or conveyed to that~~
3 ~~person from a subdivider or the subdivider's agent after September~~
4 ~~1, 1995, or after September 1, 2005, as applicable.]~~

5 (h) This section may not be construed to abrogate any civil
6 or criminal proceeding or prosecution or to waive any penalty
7 against a subdivider or developer for a violation of a state or
8 local law, regardless of the date on which the violation occurred.

9 (i) In this section:

10 (1) "Developer" has the meaning assigned by Section
11 232.021.

12 (2) "Foundation" means the lowest division of a
13 residence, usually consisting of a masonry slab or a pier and beam
14 structure, that is partly or wholly below the surface of the ground
15 and on which the residential structure rests.

16 (3) ~~(2)~~ "Subdivider" has the meaning assigned by
17 Section 232.021.

18 (j) Except as provided by Subsection (k), this section does
19 not prohibit a water or sewer utility from providing in a county
20 defined by Section 232.022(a)(1) water or sewer utility connection
21 or service to a residential dwelling that:

22 (1) is provided water or wastewater facilities under
23 or in conjunction with a federal or state funding program designed
24 to address inadequate water or wastewater facilities in colonias or
25 to residential lots located in a county described by Section
26 232.022(a)(1);

27 (2) is an existing dwelling identified as an eligible

1 recipient for funding by the funding agency providing adequate
2 water and wastewater facilities or improvements;

3 (3) when connected, will comply with the minimum state
4 standards for both water and sewer facilities and as prescribed by
5 the model subdivision rules adopted under Section 16.343, Water
6 Code; and

7 (4) is located in a project for which the municipality
8 with jurisdiction over the project or the approval of plats within
9 the project area has approved the improvement project by order,
10 resolution, or interlocal agreement under Chapter 791, Government
11 Code.

12 (k) A utility may not serve any subdivided land with water
13 utility connection or service under Subsection (j) unless the
14 entity receives a determination that adequate sewer services have
15 been installed to service the lot or dwelling from the municipal
16 authority responsible for approving plats, an entity described by
17 Subsection (b), or the authorized agent responsible for the
18 licensing or permitting of on-site sewage facilities pursuant to
19 Chapter 366, Health and Safety Code.

20 SECTION __.02. Section 232.021, Local Government Code, is
21 amended by amending Subdivision (2) and adding Subdivisions (2-a),
22 (2-b), and (6-a) to read as follows:

23 (2) "Common promotional plan" means any plan or scheme
24 of operation undertaken by a single subdivider or developer or a
25 group of subdividers or developers acting in concert, either
26 personally or through an agent, to offer for sale or lease lots when
27 the land is:

1 (A) contiguous or part of the same area of land;
2 or

3 (B) known, designated, or advertised as a common
4 unit or by a common name.

5 (2-a) "Develop" means a structural improvement or
6 man-made change to a lot intended for residential use undertaken to
7 improve, enhance, or otherwise make suitable real property for
8 purposes of sale, resale, or lease.

9 (2-b) "Developer" means a person who owns any interest
10 in real property and directly or indirectly develops real property
11 in the ordinary course of business or as part of a common
12 promotional plan.

13 (6-a) "Lot of record" means:

14 (A) a lot, the boundaries of which were
15 established by a plat recorded in the office of the county clerk
16 before September 1, 1989, that has not been subdivided after
17 September 1, 1989; or

18 (B) a lot, the boundaries of which were
19 established by a metes and bounds description in a deed of
20 conveyance, a contract of sale, or other executory contract to
21 convey real property that has been legally executed and recorded in
22 the office of the county clerk before September 1, 1989, that has
23 not been subdivided after September 1, 1989.

24 SECTION __.03. Section 232.024(b), Local Government Code,
25 is amended to read as follows:

26 (b) If any part of a plat applies to land intended for
27 residential housing and any part of that land lies in a floodplain,

1 the commissioners court shall not approve the plat unless:

2 (1) the subdivision is developed in compliance with
3 the minimum requirements of the National Flood Insurance Program
4 and local regulations or orders adopted under Section 16.315, Water
5 Code; and

6 (2) the plat evidences a restrictive covenant
7 prohibiting [as required by this subsection. The restrictive
8 covenant shall prohibit] the construction of residential housing in
9 any area of the subdivision that is in a floodplain unless the
10 housing is developed in compliance with the minimum requirements of
11 [qualifies for insurance under] the National Flood Insurance
12 Program and local regulations or orders adopted under Section
13 16.315, Water Code [Act of 1968 (42 U.S.C. Sections 4001 through
14 4127)].

15 SECTION __.04. Section 232.028(b), Local Government Code,
16 is amended to read as follows:

17 (b) On the commissioners court's own motion or on the
18 written request of a subdivider, an owner or resident of a lot in a
19 subdivision, or an entity that provides a utility service, the
20 commissioners court shall make the following determinations
21 regarding the land in which the entity or commissioners court is
22 interested that is located within the jurisdiction of the county:

23 (1) whether a plat has been prepared and whether it has
24 been reviewed and approved by the commissioners court;

25 (2) whether water service facilities have been
26 constructed or installed to service the lot or subdivision under
27 Section 232.023 and are fully operable;

1 (3) whether sewer service facilities have been
2 constructed or installed to service the lot or subdivision under
3 Section 232.023 and are fully operable, or if septic systems are
4 used, whether the lot is served by a permitted on-site sewage
5 facility or lots in the subdivision can be adequately and legally
6 served by septic systems under Section 232.023; and

7 (4) whether electrical and gas facilities, if
8 available, have been constructed or installed to service the lot or
9 subdivision under Section 232.023.

10 SECTION __.05. Section 232.029, Local Government Code, is
11 amended by amending Subsections (b), (c), (d), (e), and (i) and
12 adding Subsections (k) and (l) to read as follows:

13 (b) Except as provided by Subsection (c) or Section
14 232.037(c), a utility may not serve or connect any subdivided land
15 with electricity or gas unless the entity receives a determination
16 from the county commissioners court under Sections 232.028(b)(2)
17 and (3) [~~Section 232.028(b)(2)~~] that adequate water and sewer
18 services have been installed to service the lot or subdivision.

19 (c) An electric, gas, water, or sewer service utility may
20 serve or connect subdivided land with water, sewer, electricity,
21 gas, or other utility service regardless of whether the utility
22 receives a certificate issued by the commissioners court under
23 Section 232.028(a) or receives a determination from the
24 commissioners court under Section 232.028(b) if the utility is
25 provided with a certificate issued by the commissioners court that
26 states that:

27 (1) the subdivided land:

1 (A) was sold or conveyed by a subdivider or
2 developer [~~to the person requesting service~~] by any means of
3 conveyance, including a contract for deed or executory contract:

4 (i) before September 1, 1995; or

5 (ii) before September 1, 1999, if the
6 subdivided land on August 31, 1999, was located in the
7 extraterritorial jurisdiction of a municipality as determined by
8 Chapter 42;

9 (B) has not been subdivided after September 1,
10 1995, or September 1, 1999, as applicable under Paragraph (A); [~~is~~
11 ~~located in a subdivision in which the utility has previously~~
12 ~~provided service; and]~~

13 (C) is the site of construction of a residence,
14 evidenced by at least the existence of a completed foundation, that
15 was begun[+

16 [~~(i) on or before May 1, 1997; or~~

17 [~~(ii)] on or before May 1, 2003; and~~

18 (D) has had adequate sewer services installed to
19 service the lot or dwelling;

20 (2) the subdivided land is a lot of record and has
21 adequate sewer services installed that are fully operable to
22 service the lot or dwelling[~~, if the subdivided land on August 31,~~
23 ~~1999, was located in the extraterritorial jurisdiction of a~~
24 ~~municipality as determined by Chapter 42]; or~~

25 (3) [~~(2)] the land was not subdivided after September~~

26 1, 1995, and:

27 (A) water service is available within 750 feet of

1 the subdivided land; or

2 (B) water service is available more than 750 feet
3 from the subdivided land and the extension of water service to the
4 land may be feasible, subject to a final determination by the water
5 service provider.

6 (d) A utility may provide utility service to subdivided land
7 described by Subsection (c)(1), (2), or (3) only if the person
8 requesting service:

9 (1) is not the land's subdivider or developer or the
10 subdivider's or developer's agent; and

11 (2) provides to the utility a certificate described by
12 Subsection (c) [~~(e)(1)~~].

13 (e) A person requesting service may obtain a certificate
14 under Subsection (c)(1), (2), or (3) only if the person is the owner
15 or purchaser of the subdivided land and provides to the
16 commissioners court documentation containing [~~either~~]:

17 (1) [~~documentation containing:~~

18 [~~(A)~~] a copy of the means of conveyance or other
19 documents that show that the land was sold or conveyed by a
20 subdivider or developer before September 1, 1995, or before
21 September 1, 1999, as applicable under Subsection (c);

22 (2) [~~to the person requesting service:~~

23 [~~(i) before September 1, 1995, or~~

24 [~~(ii) before September 1, 1999, if the~~

25 ~~subdivided land on August 31, 1999, was located in the~~

26 ~~extraterritorial jurisdiction of a municipality as determined by~~

27 ~~Chapter 42; and~~

1 ~~[(B)]~~ a notarized affidavit by that person
2 requesting service under Subsection (c)(1) that states that
3 construction of a residence on the land, evidenced by at least the
4 existence of a completed foundation, was begun~~+~~

5 ~~[(i) on or before May 1, 1997, or~~

6 ~~[(ii)]~~ on or before May 1, 2003, and the
7 request for utility connection or service is to connect or serve a
8 residence described by Subsection (c)(1)(C);

9 (3) ~~[, if the subdivided land on August 31, 1999, was~~
10 ~~located in the extraterritorial jurisdiction of a municipality as~~
11 ~~determined by Chapter 42, or~~

12 ~~[(2)]~~ a notarized affidavit by the person requesting
13 service that states that the subdivided land has not been further
14 subdivided after~~+~~

15 ~~[(A) the property was sold or conveyed to that~~
16 ~~person+~~

17 ~~[(i) before]~~ September 1, 1995, ~~+~~ or

18 ~~[(ii) before]~~ September 1, 1999, as
19 applicable under Subsection (c); and

20 (4) evidence that adequate sewer service or facilities
21 have been installed and are fully operable to service the lot or
22 dwelling from an entity described by Section 232.021(14) or the
23 authorized agent responsible for the licensing or permitting of
24 on-site sewage facilities under Chapter 366, Health and Safety Code
25 ~~[if the subdivided land on August 31, 1999, was located in the~~
26 ~~extraterritorial jurisdiction of a municipality as determined by~~
27 ~~Chapter 42, and~~

1 ~~[(B) construction of a residence on the land,~~
2 ~~evidenced by at least the existence of a completed foundation, was~~
3 ~~begun.~~

4 ~~[(i) on or before May 1, 1997, or~~

5 ~~[(ii) on or before May 1, 2003, if the~~
6 ~~subdivided land on August 31, 1999, was located in the~~
7 ~~extraterritorial jurisdiction of a municipality as determined by~~
8 ~~Chapter 42].~~

9 (i) The prohibition established by this section shall not
10 prohibit a water, sewer, [an] electric, or gas utility from
11 providing water, sewer, electric, or gas utility connection or
12 service to a lot ~~[being]~~ sold, conveyed, or purchased through a
13 contract for deed or executory contract or other device by a
14 subdivider or developer prior to July 1, 1995, or September 1, 1999,
15 if on August 31, 1999, the subdivided land was located in the
16 extraterritorial jurisdiction of a municipality that has adequate
17 sewer services installed that are fully operable to service the lot
18 ~~[which is located within a subdivision where the utility has~~
19 ~~previously established service]~~ and was subdivided by a plat
20 approved prior to September 1, 1989.

21 (k) Except as provided by Subsection (l), this section does
22 not prohibit a water or sewer utility from providing water or sewer
23 utility connection or service to a residential dwelling that:

24 (1) is provided water or wastewater facilities under
25 or in conjunction with a federal or state funding program designed
26 to address inadequate water or wastewater facilities in colonias or
27 to residential lots located in a county described by Section

1 232.022(a)(1);

2 (2) is an existing dwelling identified as an eligible
3 recipient for funding by the funding agency providing adequate
4 water and wastewater facilities or improvements;

5 (3) when connected, will comply with the minimum state
6 standards for both water and sewer facilities and as prescribed by
7 the model subdivision rules adopted under Section 16.343, Water
8 Code; and

9 (4) is located in a project for which the municipality
10 with jurisdiction over the project or the approval of plats within
11 the project area has approved the improvement project by order,
12 resolution, or interlocal agreement under Chapter 791, Government
13 Code, if applicable.

14 (1) A utility may not serve any subdivided land with water
15 utility connection or service under Subsection (k) unless the
16 entity receives a determination from the county commissioners court
17 under Section 232.028(b)(3) that adequate sewer services have been
18 installed to service the lot or dwelling.

19 SECTION __.06. Sections 232.031(a) and (b), Local
20 Government Code, are amended to read as follows:

21 (a) Except as provided by Subsection (d), a subdivider or
22 developer may not sell or lease land in a subdivision first platted
23 or replatted after July 1, 1995, unless the subdivision plat is
24 approved by the commissioners court in accordance with Section
25 232.024.

26 (b) Not later than the 30th day after the date a lot is sold,
27 a subdivider or developer shall record with the county clerk all

1 sales contracts, including the attached disclosure statement
2 required by Section 232.033, leases, and any other documents that
3 convey an interest in the subdivided land.

4 SECTION __.07. Sections 232.035(a) and (b), Local
5 Government Code, are amended to read as follows:

6 (a) A subdivider or developer or an agent of a subdivider or
7 developer may not cause, suffer, allow, or permit a lot to be sold
8 in a subdivision if the subdivision has not been platted as required
9 by this subchapter.

10 (b) Notwithstanding any other remedy at law or equity, a
11 subdivider or developer or an agent of a subdivider or developer may
12 not cause, suffer, allow, or permit any part of a subdivision over
13 which the subdivider or developer or an agent of the subdivider or
14 developer has control, or a right of ingress and egress, to become a
15 public health nuisance as defined by Section 341.011, Health and
16 Safety Code.

17 SECTION __.08. Section 232.036(a), Local Government Code,
18 is amended to read as follows:

19 (a) A subdivider or developer commits an offense if the
20 subdivider or developer knowingly fails to file a plat or replat
21 required by this subchapter. An offense under this subsection is a
22 Class A misdemeanor.

23 SECTION __.09. Section 232.038(a), Local Government Code,
24 is amended to read as follows:

25 (a) Except as provided by Subsection (b), a person who has
26 purchased or is purchasing a lot after July 1, 1995, in a
27 subdivision for residential purposes that does not have water and

1 sewer services as required by this subchapter and is located in an
2 economically distressed area, as defined by Section 17.921, Water
3 Code, from a subdivider or developer, may bring suit in the district
4 court in which the property is located or in a district court in
5 Travis County to:

6 (1) declare the sale of the property void and require
7 the subdivider or developer to return the purchase price of the
8 property; and

9 (2) recover from the subdivider or developer:

10 (A) the market value of any permanent
11 improvements the person placed on the property;

12 (B) actual expenses incurred as a direct result
13 of the failure to provide adequate water and sewer facilities;

14 (C) court costs; and

15 (D) reasonable attorney's fees.

16 SECTION __.10. Sections 232.040(a), (b), and (c), Local
17 Government Code, are amended to read as follows:

18 (a) A subdivision plat must accurately reflect the
19 subdivision as it develops. If there is any change, either by the
20 intentional act of the subdivider or developer or by the forces of
21 nature, including changes in the size or dimension of lots or the
22 direction or condition of the roads, a plat must be revised in
23 accordance with Section 232.041.

24 (b) Except as provided by Subsection (c), a lot in a
25 subdivision may not be sold if the lot lacks water and sewer
26 services as required by this subchapter unless the lot is platted or
27 replatted as required by this subchapter. A subdivider or

1 developer or agent of a subdivider or developer may not transfer a
2 lot through an executory contract or other similar conveyance to
3 evade the requirements of this subchapter. The prohibition in this
4 subsection includes the sale of a lot:

5 (1) by a subdivider or developer who regains
6 possession of a lot previously exempt under Subsection (c) through
7 the exercise of a remedy described in Section 5.061, Property Code;
8 or

9 (2) for which it is shown at a proceeding brought in
10 the district court in which the property is located that the sale of
11 a lot otherwise exempt under Subsection (c) was made for the purpose
12 of evading the requirements of this subchapter.

13 (c) Subsection (b) does not apply to [~~if~~] a seller other
14 than a subdivider, developer, or agent of a subdivider or developer
15 [~~resides on the lot~~].

16 SECTION __.11. Section 232.029(f), Local Government Code,
17 is repealed.

- 1 Instructing the enrolling clerk of the senate to make corrections
- 2 in S.B. No. 3.