

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 3, 2007**

**TO:** Honorable Anna Mowery, Chair, House Committee on Land & Resource Management

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB408** by Lucio (Relating to authorizing certain counties and municipalities to regulate land development; providing a penalty.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would authorize a county that includes territory located within 50 miles of an international border or certain municipalities within the county to regulate residential land development (for counties, in the unincorporated areas of the county and for municipalities, in the extraterritorial jurisdiction). Regulation authority would not apply if a tract of land is appraised as agricultural or open-space and would not apply to regulating commercial property that is uninhabitable. The county or municipality would be required to issue building permits for the applicable areas and would be authorized to charge a reasonable building permit fee. Fees collected would be deposited into the local government entity's general fund and could be used only for administering the building permit program.

The act of violating land development restrictions imposed by a county or municipality in the applicable areas would be a Class C misdemeanor.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, WK, CL, DB