

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 22, 2007

TO: Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

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

IN RE: SB542 by West, Royce (Relating to county authority regarding subdivision platting and land development.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code by removing the population and location brackets from Subchapter E of Chapter 232, Local Government Code, thus providing the same authority regarding subdivision platting and land development under the subchapter to all county commissioners courts. In addition, the bill would add Section 232.108 to Subchapter E to authorize commissioners courts to impose not only the plat requirements prescribed in Section 232.101, but also requirements in Section 232.023, which is a section requiring a plat in certain counties near an international border. Section 232.109 would be added to authorize the commissioners court to require a developer to construct a limited fire suppression system in certain subdivisions.

The bill would add Subchapter F to Chapter 232, Local Government Code, to grant authority to a county commissioners court to regulate, by order, land development in the unincorporated area of the county by requiring a buffer zone between the land used for a purpose specified in the subchapter and residential areas, with certain limitations. A commissioners court could order and hold an election in the county regarding granting the commissioners court the authority to regulate land development in the unincorporated area.

The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2007.

Local Government Impact

It is assumed that a county commissioners court could implement the administrative responsibilities within the provisions of the bill using existing resources. It is also assumed that if a county were to call an election regarding regulation authority, the county would do so as part of a general election to avoid election costs above those already budgeted.

Source Agencies:

LBB Staff: JOB, DB