

BILL ANALYSIS

Senate Research Center
81R4406 JTS-D

S.B. 967
By: Hegar
Transportation & Homeland Security
4/13/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Homeowners sometimes purchase a home not knowing of planned construction of a roadway in the vicinity, knowledge of which might influence their decision to purchase that home.

As proposed, S.B. 967 requires developers of a subdivision to disclose, in all brochures, publications, and advertising relating to the subdivision, any highway projects that will transect or run adjacent to the subdivision that are contained in the Texas Department of Transportation's (TxDOT) unified transportation program and/or statewide transportation improvement program, an official planning document of a local transportation authority, including a regional mobility authority, regional tollway authority, or county toll road authority. S.B. 967 requires any highway projects that will transect or run adjacent to the subdivision that are contained in certain documents to be contained in the developer's plat application.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 99, Business & Commerce Code, by adding Chapter 2003, as follows:

CHAPTER 2003. ADVERTISING STANDARDS FOR SALE OF PROPERTY LOCATED IN SUBDIVISION

Sec. 2003.001. **ADVERTISING STANDARDS BEFORE SALE: DISCLOSURE OF HIGHWAY PROJECTS.** Requires that brochures, publications, and advertising of any form relating to subdivided land indicate the location of each highway project that is contained in certain transportation program or planning documents and is identified in the planning document as going through or running adjacent to the subdivision.

SECTION 2. Amends Subchapter A, Chapter 212, Local Government Code, by adding Section 212.0102, as follows:

Sec. 212.0102. **ADDITIONAL REQUIREMENT: DISCLOSURE OF HIGHWAY PROJECTS.** Requires the municipal authority responsible for approving plats by ordinance to require the plat application to have attached to it a description and map of each highway project that is contained in a certain transportation program or planning document and is identified in the planning document as going through or running adjacent to the subdivision.

SECTION 3. Amends Subchapter A, Chapter 232, Local Government Code, by adding Section 232.0034, as follows:

Sec. 232.0034. **ADDITIONAL REQUIREMENT: DISCLOSURE OF HIGHWAY PROJECTS.** Requires the commissioners court of a county by order to require a plat application to have attached to it a description and map of each highway project that is contained in a certain transportation program or planning document and is identified in the planning document as going through or running adjacent to the subdivision.

SECTION 4. Effective date: September 1, 2009.