

By: Farias

H.B. No. 2357

A BILL TO BE ENTITLED

AN ACT

relating to municipal comprehensive plans affecting defense adjustment management authorities.

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

SECTION 1. Section 375.312, Local Government Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) The authority has the power to approve or deny a proposal to amend a municipal comprehensive plan adopted under Chapter 213 that affects the area of the authority. The proposal must be presented to and reviewed by the board before the proposal is presented to the planning commission or governing body of the municipality. The planning commission or governing body of the municipality may not adopt the proposal unless the board approves the proposal. The board's decision to deny a proposal is final and may not be appealed.

(d) On annexation of an area of the authority for full purposes by a municipality, the authority's power under Subsection (c) expires. The authority regains the power in an area if the municipality disannexes the area.

SECTION 2. The change in law made by this Act to Section 375.312, Local Government Code, applies only to the adoption of a provision or an amendment to a municipal comprehensive plan on or after the effective date of this Act. The adoption of a provision or amendment before the effective date of this Act is governed by

1 the law in effect when the provision or amendment was adopted, and
2 the former law is continued in effect for that purpose.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2009.