

By: Rodriguez

H.B. No. 2693

Substitute the following for H.B. No. 2693:

By: Marquez

C.S.H.B. No. 2693

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of certain counties to assess certain
3 costs for roadway improvements.

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

5 SECTION 1. Section 395.001(7), Local Government Code, is
6 amended to read as follows:

7 (7) "Political subdivision" means:

8 (A) a municipality;

9 (B) [~~7~~] a district or authority created under
10 Article III, Section 52, or Article XVI, Section 59, of the Texas
11 Constitution;

12 (C) [~~7 or~~] for the purposes set forth by Section
13 395.079, certain counties described by that section; or

14 (D) for the purposes set forth by Section
15 395.011(d), a county:

16 (i) with a population greater than 800,000;
17 and

18 (ii) that is located over a portion of the
19 Barton Springs segment of the Edwards Aquifer.

20 SECTION 2. Section 395.011, Local Government Code, is
21 amended by adding Subsection (d) to read as follows:

22 (d) A county described by Section 395.001(7)(D) may enact or
23 impose impact fees on land in unincorporated areas of the county for
24 roadway facilities only by complying with this chapter.

1 SECTION 3. Section 253.001, Transportation Code, is amended
2 to read as follows:

3 Sec. 253.001. APPLICABILITY. This chapter applies only to:

4 (1) a subdivision, part of a subdivision, or an access
5 road; or

6 (2) an arterial street that serves a subdivision in a
7 county:

8 (A) with a population of 800,000 or more; and

9 (B) that is located over a portion of the Barton
10 Springs segment of the Edwards Aquifer.

11 SECTION 4. Section 253.002, Transportation Code, is amended
12 to read as follows:

13 Sec. 253.002. DEFINITIONS [~~DEFINITION~~]. In this chapter:

14 (1) "Arterial street" means a street designed to carry
15 high volumes of through traffic.

16 (2) "Improvement" [,"~~improvement~~"] means
17 construction or reconstruction [~~repair~~].

18 SECTION 5. Section 253.003, Transportation Code, is amended
19 to read as follows:

20 Sec. 253.003. PROPOSAL FOR COUNTY IMPROVEMENT OF
21 SUBDIVISION ROADS AND ASSESSMENT OF COSTS. (a) If the

22 commissioners court of a county determines that the improvement of
23 a road in a subdivision or of an access road or arterial street

24 described by Section 253.001(2) serving [~~to~~] a subdivision is
25 necessary for the public health, safety, or welfare of the

26 residents of the county, the commissioners court may propose to:

27 (1) improve the road or street to comply with county

1 standards for roads; and

2 (2) assess all or part of the costs of the improvement
3 pro rata against the record owners of the real property of the
4 subdivision or a defined part of the subdivision.

5 (b) The portion of the costs assessed against the property
6 owners under Subsection (a)(2) for improvements to an arterial
7 street must be roughly proportional to the subdivision's
8 anticipated impact on the street.

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