

By: Guillen

H.B. No. 3929

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to subdivision platting requirements in counties near an  
3 international border.

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

5 SECTION 1. Section 232.022(b), Local Government Code, is  
6 amended to read as follows:

7 (b) This subchapter applies only to land that is subdivided  
8 into two or more lots that are intended primarily for residential  
9 use in the jurisdiction of the county. A lot is presumed to be  
10 intended for residential use if the lot is less than five acres [~~or~~  
11 ~~less~~]. This subchapter does not apply if the subdivision is  
12 incident to the conveyance of the land as a gift between persons  
13 related to each other within the third degree by affinity or  
14 consanguinity, as determined under Chapter 573, Government Code.

15 SECTION 2. Subchapter B, Chapter 232, Local Government  
16 Code, is amended by adding Section 232.045 to read as follows:

17 Sec. 232.045. BUILDING PERMIT. (a) The county shall issue  
18 a residential building permit to a person submitting an application  
19 for the permit who has:

20 (1) met the applicable requirements under this  
21 subchapter; and

22 (2) otherwise complied with the applicable law and  
23 rules relating to the issuance of the building permit; and

24 (3) has a single residence on the tract or will have a

1 single residence on the tract after the construction allowed by the  
2 building permit is complete.

3 (b) The county shall also issue a residential building  
4 permit to an applicant who:

5 (1) owns a tract of at least 5 but not more than 10  
6 acres of land that has access to public roads and to the appropriate  
7 services as required by the county for building permits, that has  
8 not had a county-approved plat filed with the county clerk, and that  
9 is used for agricultural purposes; and

10 (2) has otherwise complied with the applicable law and  
11 rules relating to the issuance of the building permit; and

12 (3) has a single residence on the tract or will have a  
13 single residence on the tract after the construction allowed by the  
14 building permit is complete.

15 (c) The county may charge a reasonable fee to cover the cost  
16 of administering the issuance of residential building permits under  
17 this subchapter.

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