

By: Hegar

S.B. No. 967

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure by the developer of the subdivision of planned highway projects that will go through or be adjacent to a subdivision.

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

SECTION 1. Title 99, Business & Commerce Code, is amended by adding Chapter 2003 to read as follows:

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

Sec. 2003.001. ADVERTISING STANDARDS BEFORE SALE:  
DISCLOSURE OF HIGHWAY PROJECTS. Brochures, publications, and  
advertising of any form relating to subdivided land must indicate  
the location of each highway project that:

(1) is contained in:

(A) the Texas Department of Transportation's  
unified transportation program;

(B) the Texas Department of Transportation's  
statewide transportation improvement program; or

(C) an official planning document of a local  
transportation entity, including a regional mobility authority,  
regional tollway authority, or county toll road authority; and

(2) is identified in the planning document as going  
through or running adjacent to the subdivision.

SECTION 2. Subchapter A, Chapter 212, Local Government

1 Code, is amended by adding Section 212.0102 to read as follows:

2 Sec. 212.0102. ADDITIONAL REQUIREMENT: DISCLOSURE OF  
3 HIGHWAY PROJECTS. The municipal authority responsible for  
4 approving plats by ordinance shall require the plat application to  
5 have attached to it a description and map of each highway project  
6 that:

7 (1) is contained in:

8 (A) the Texas Department of Transportation's  
9 unified transportation program;

10 (B) the Texas Department of Transportation's  
11 statewide transportation improvement program; or

12 (C) an official planning document of a local  
13 transportation entity, including a regional mobility authority,  
14 regional tollway authority, or county toll road authority; and

15 (2) is identified in the planning document as going  
16 through or running adjacent to the subdivision.

17 SECTION 3. Subchapter A, Chapter 232, Local Government  
18 Code, is amended by adding Section 232.0034 to read as follows:

19 Sec. 232.0034. ADDITIONAL REQUIREMENT: DISCLOSURE OF  
20 HIGHWAY PROJECTS. The commissioners court of a county by order  
21 shall require a plat application to have attached to it a  
22 description and map of each highway project that:

23 (1) is contained in:

24 (A) the Texas Department of Transportation's  
25 unified transportation program;

26 (B) the Texas Department of Transportation's  
27 statewide transportation improvement program; or

1                    (C) an official planning document of a local  
2 transportation entity, including a regional mobility authority,  
3 regional tollway authority, or county toll road authority; and  
4                    (2) is identified in the planning document as going  
5 through or running adjacent to the subdivision.

6                    SECTION 4. This Act takes effect September 1, 2009.