

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 21, 2009

TO: Honorable Veronica Gonzales, Chair, House Committee on Border & Intergovernmental Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB2253 by Zaffirini (Relating to the authority of certain municipalities and counties to regulate platting requirements near an international border.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend various sections of the Local Government Code related to the authority of certain municipalities and counties to regulate subdivisions near the international border. Included are provisions related to ensuring adequate sewer services.

The bill would prohibit a person in certain counties from constructing or making a substantial improvement to a structure on tracts of land as described in the bill unless the person obtains a county development permit issued in accordance with the proposed new Section 232.045 and the applicable rules, regulations, or orders of the county in which the development is located. The bill would stipulate requirements and procedures related to the county development permit. Included in the provisions of the bill would be authorization for the county to charge a reasonable fee to cover the costs of administering the issuance of development permits. Fees collected could be used only to defray those costs. The bill would authorize the county to conduct inspections to ensure compliance with an issued permit.

The bill would repeal Section 232.029(f) of the Local Government Code.

The bill would take effect immediately if it receives a vote of two-thirds of all members elected to each house. If the bill does not receive the votes required to pass, the bill would take effect September 1, 2009.

Local Government Impact

Local governments that would be required to determine that adequate sewer services are installed, could incur costs depending on the size of the county, and the requests by developers or utilities to provide services. However, the costs associated with implementing those provisions of the bill are not anticipated to be significant according to the Texas Association of Counties (TAC).

TAC assumes the fee that could be charged for administering the issuance of a development permit "only to defray those costs" would not cover the costs of conducting a compliance inspection; therefore, if an applicable county was to include conducting inspections related to issuing the permit, the county would incur a moderate cost.

Source Agencies: 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: JOB, CL, JB, DB