

By: Munoz, Jr.

H.B. No. 1767

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the enforcement of county subdivision regulations
3 prohibiting more than one residential dwelling on each subdivision
4 lot; creating an offense.

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

6 SECTION 1. Section 16.352, Water Code, is amended to read as
7 follows:

8 Sec. 16.352. ENFORCEMENT OF RULES. (a) A person who
9 violates a rule adopted by a municipality or county under this
10 subchapter or under Subchapter B or C, Chapter 232, Local
11 Government Code, is liable to the municipality or county for a civil
12 penalty of not less than \$500 and not more than \$1,000 for each
13 violation and for each day of a violation. The maximum civil
14 penalty that may accrue each day is \$5,000. The appropriate
15 attorney representing the municipality or county may sue to collect
16 the penalty. The recovered penalty shall be deposited in the
17 general fund of the municipality or county.

18 (b) In addition to the enforcement authority provided by
19 Subsection (a), rules adopted by a county under this subchapter may
20 provide that an owner or occupant of a dwelling who violates a rule
21 prohibiting more than one single-family, detached dwelling to be
22 located on a lot commits an offense. An offense under this
23 subsection is a Class C misdemeanor. Each day a violation occurs or
24 continues shall constitute a separate offense.

1 SECTION 2. The change in law made by this Act applies to
2 conduct occurring on or after the effective date.

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, 2011.