

BILL ANALYSIS

H.B. 1553
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Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the municipal authority responsible for approving plats of a municipality with a population of 1.9 million or more is authorized to approve a replat of a subdivision or part of a subdivision without vacating the preceding plat if certain conditions are met, including the replat being signed and acknowledged by each owner and only the owners of the property being replatted. Interested parties note that property owners who desire to vacate a plat must otherwise obtain certain permission from the property owners of lots in the subdivision as platted. The parties see a potential to achieve efficiencies and benefits through this process if more municipalities have the authority to approve such a replat.

Interested parties point to San Antonio as an example of a city that would benefit from such a change in authority. The parties note that the city has adopted a unified development code that revised certain building setback regulations and, as a result, property owners in the city are now required to remove the building setback line on their plat in order to facilitate any future redevelopments. The interested parties further note that the city has adopted a policy relating to the removal of a plat restriction but that there is concern that this may be in conflict with ambiguous state law. H.B. 1553 seeks to provide efficiencies for the replatting of a subdivision without vacating the preceding plat in certain municipalities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1553 amends the Local Government Code to make provisions governing the replatting of a subdivision or a part of a subdivision without vacating the preceding plat in certain municipalities applicable to a municipality with a population of 1.3 million or more, rather than a municipality with a population of 1.9 million or more.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.