

By: Canales

H.B. No. 2991

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to allowing a county commissioners court to contract with  
3 an attorney to enforce subdivision platting requirements in certain  
4 counties that are economically distressed or that are located near  
5 the international border of this state.

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

7 SECTION 1. Section 232.037, Local Government Code, is  
8 amended by adding Subsection (e) to read as follows:

9 (e) The commissioners court by order may contract with a  
10 licensed attorney to take any action necessary in a court of  
11 competent jurisdiction on behalf of the state or on behalf of the  
12 residents to:

13 (1) enjoin the violation or threatened violation of  
14 applicable model rules adopted under Section 16.343, Water Code;

15 (2) enjoin the violation or threatened violation of a  
16 requirement of this subchapter or a rule adopted by the  
17 commissioners court under this subchapter;

18 (3) recover civil penalties, attorney's fees,  
19 litigation costs, and investigation costs; and

20 (4) require platting as required by this subchapter.

21 SECTION 2. Section 232.080, Local Government Code, is  
22 amended by adding Subsection (d) to read as follows:

23 (d) The commissioners court by order may contract with a  
24 licensed attorney to take any action necessary in a court of

1 competent jurisdiction on behalf of the state or on behalf of the  
2 residents to:

3 (1) enjoin the violation or threatened violation of  
4 applicable model rules adopted under Section 16.343, Water Code;

5 (2) enjoin the violation or threatened violation of a  
6 requirement of this subchapter or a rule adopted by the  
7 commissioners court under this subchapter;

8 (3) recover civil penalties, attorney's fees,  
9 litigation costs, and investigation costs; and

10 (4) require platting as required by this subchapter.

11 SECTION 3. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2013.