

AN ACT

relating to an application filed with a county commissioners court to revise a subdivision plat; authorizing a fee.

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

SECTION 1. Section 232.009, Local Government Code, is amended by amending Subsection (c) and adding Subsections (c-1) and (g) to read as follows:

(c) Except as provided by Subsection (c-1), after ~~After~~ the application is filed with the commissioners court, the court shall publish a notice of the application in a newspaper of general circulation in the county. The notice must include a statement of the time and place at which the court will meet to consider the application and to hear protests to the revision of the plat. The notice must be published at least three times during the period that begins on the 30th day and ends on the seventh day before the date of the meeting. Except as provided by Subsection (f), if all or part of the subdivided tract has been sold to nondeveloper owners, the court shall also give notice to each of those owners by certified or registered mail, return receipt requested, at the owner's address in the subdivided tract.

(c-1) If the commissioners court determines that the revision to the subdivision plat does not affect a public interest or public property of any type, including, but not limited to, a park, school, or road, the notice requirements under Subsection (c)

1 do not apply to the application and the commissioners court shall:

2 (1) provide written notice of the application to the
3 owners of the lots that are within 200 feet of the subdivision plat
4 to be revised, as indicated in the most recent records of the
5 central appraisal district of the county in which the lots are
6 located; and

7 (2) if the county maintains an Internet website, post
8 notice of the application continuously on the website for at least
9 30 days preceding the date of the meeting to consider the
10 application until the day after the meeting.

11 (g) The commissioners court may impose a fee for filing an
12 application under this section. The amount of the fee must be based
13 on the cost of processing the application, including publishing the
14 notices required under Subsection (c) or (c-1).

15 SECTION 2. Section 232.041, Local Government Code, is
16 amended by amending Subsection (b) and adding Subsections (b-1) and
17 (e) to read as follows:

18 (b) Except as provided by Subsection (b-1), after ~~After~~
19 the application is filed with the commissioners court, the court
20 shall publish a notice of the application in a newspaper of general
21 circulation in the county. The notice must include a statement of
22 the time and place at which the court will meet to consider the
23 application and to hear protests to the revision of the plat. The
24 notice must be published at least three times during the period that
25 begins on the 30th day and ends on the seventh day before the date of
26 the meeting. If all or part of the subdivided tract has been sold to
27 nondeveloper owners, the court shall also give notice to each of

1 those owners by certified or registered mail, return receipt
2 requested, at the owner's address in the subdivided tract.

3 (b-1) If the commissioners court determines that the
4 revision to the subdivision plat does not affect a public interest
5 or public property of any type, including, but not limited to, a
6 park, school, or road, the notice requirements under Subsection (b)
7 do not apply to the application and the commissioners court shall:

8 (1) provide written notice of the application to the
9 owners of the lots that are within 200 feet of the subdivision plat
10 to be revised, as indicated in the most recent records of the
11 central appraisal district of the county in which the lots are
12 located; and

13 (2) if the county maintains an Internet website, post
14 notice of the application continuously on the website for at least
15 30 days preceding the date of the meeting to consider the
16 application until the day after the meeting.

17 (e) The commissioners court may impose a fee for filing an
18 application under this section. The amount of the fee must be based
19 on the cost of processing the application, including publishing the
20 notices required under Subsection (b) or (b-1).

21 SECTION 3. Sections 232.009 and 232.041, Local Government
22 Code, as amended by this Act, apply only to an application filed on
23 or after the effective date of this Act.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

1 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 552 passed the Senate on April 9, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 552 passed the House on May 17, 2013, by the following vote: Yeas 131, Nays 3, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor