

By: Uresti

S.B. No. 552

A BILL TO BE ENTITLED

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 232.041, Local Government Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (e) to read as follows:

(b) Except as provided by Subsection (b-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. 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.

(b-1) If the commissioners court determines that the revision to the subdivision plat does not affect a public interest, including an effect on a public road, the notice requirements under Subsection (b) do not apply to the application and the commissioners court shall provide written notice of the application

1 to the owners of the lots that are within 200 feet of the
2 subdivision plat to be revised, as indicated in the most recent
3 records of the central appraisal district of the county in which the
4 lots are located.

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

9 SECTION 2. Section 232.041, Local Government Code, as
10 amended by this Act, applies only to an application filed on or
11 after the effective date of this Act.

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