

1-1 By: Uresti S.B. No. 552
1-2 (In the Senate - Filed February 13, 2013; February 20, 2013,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; April 3, 2013, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 April 3, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Hinojosa</u>	X		
1-10	<u>Nichols</u>	X		
1-11	<u>Garcia</u>	X		
1-12	<u>Paxton</u>	X		
1-13	<u>Taylor</u>	X		

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 552 By: Nichols

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to an application filed with a county commissioners court
1-18 to revise a subdivision plat; authorizing a fee.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 232.009, Local Government Code, is
1-21 amended by amending Subsection (c) and adding Subsections (c-1) and
1-22 (g) to read as follows:

1-23 (c) Except as provided by Subsection (c-1), after [After]
1-24 the application is filed with the commissioners court, the court
1-25 shall publish a notice of the application in a newspaper of general
1-26 circulation in the county. The notice must include a statement of
1-27 the time and place at which the court will meet to consider the
1-28 application and to hear protests to the revision of the plat. The
1-29 notice must be published at least three times during the period that
1-30 begins on the 30th day and ends on the seventh day before the date of
1-31 the meeting. Except as provided by Subsection (f), if all or part
1-32 of the subdivided tract has been sold to nondeveloper owners, the
1-33 court shall also give notice to each of those owners by certified or
1-34 registered mail, return receipt requested, at the owner's address
1-35 in the subdivided tract.

1-36 (c-1) If the commissioners court determines that the
1-37 revision to the subdivision plat does not affect a public interest
1-38 or public property of any type, including, but not limited to, a
1-39 park, school, or road, the notice requirements under Subsection (c)
1-40 do not apply to the application and the commissioners court shall:

1-41 (1) provide written notice of the application to the
1-42 owners of the lots that are within 200 feet of the subdivision plat
1-43 to be revised, as indicated in the most recent records of the
1-44 central appraisal district of the county in which the lots are
1-45 located; and

1-46 (2) if the county maintains an Internet website, post
1-47 notice of the application continuously on the website for at least
1-48 30 days preceding the date of the meeting to consider the
1-49 application until the day after the meeting.

1-50 (g) The commissioners court may impose a fee for filing an
1-51 application under this section. The amount of the fee must be based
1-52 on the cost of processing the application, including publishing the
1-53 notices required under Subsection (c) or (c-1).

1-54 SECTION 2. Section 232.041, Local Government Code, is
1-55 amended by amending Subsection (b) and adding Subsections (b-1) and
1-56 (e) to read as follows:

1-57 (b) Except as provided by Subsection (b-1), after [After]
1-58 the application is filed with the commissioners court, the court
1-59 shall publish a notice of the application in a newspaper of general
1-60 circulation in the county. The notice must include a statement of

2-1 the time and place at which the court will meet to consider the
2-2 application and to hear protests to the revision of the plat. The
2-3 notice must be published at least three times during the period that
2-4 begins on the 30th day and ends on the seventh day before the date of
2-5 the meeting. If all or part of the subdivided tract has been sold to
2-6 nondeveloper owners, the court shall also give notice to each of
2-7 those owners by certified or registered mail, return receipt
2-8 requested, at the owner's address in the subdivided tract.

2-9 (b-1) If the commissioners court determines that the
2-10 revision to the subdivision plat does not affect a public interest
2-11 or public property of any type, including, but not limited to, a
2-12 park, school, or road, the notice requirements under Subsection (b)
2-13 do not apply to the application and the commissioners court shall:

2-14 (1) provide written notice of the application to the
2-15 owners of the lots that are within 200 feet of the subdivision plat
2-16 to be revised, as indicated in the most recent records of the
2-17 central appraisal district of the county in which the lots are
2-18 located; and

2-19 (2) if the county maintains an Internet website, post
2-20 notice of the application continuously on the website for at least
2-21 30 days preceding the date of the meeting to consider the
2-22 application until the day after the meeting.

2-23 (e) The commissioners court may impose a fee for filing an
2-24 application under this section. The amount of the fee must be based
2-25 on the cost of processing the application, including publishing the
2-26 notices required under Subsection (b) or (b-1).

2-27 SECTION 3. Sections 232.009 and 232.041, Local Government
2-28 Code, as amended by this Act, apply only to an application filed on
2-29 or after the effective date of this Act.

2-30 SECTION 4. This Act takes effect immediately if it receives
2-31 a vote of two-thirds of all the members elected to each house, as
2-32 provided by Section 39, Article III, Texas Constitution. If this
2-33 Act does not receive the vote necessary for immediate effect, this
2-34 Act takes effect September 1, 2013.

2-35 * * * * *