By: Fraser   S.B. No. 1853
    (Hilderbran)

Substitute the following for S.B. No. 1853:

By: Oliveira   C.S.S.B. No. 1853

A BILL TO BE ENTITLED

1   AN ACT

2   relating to the amendment of restrictions affecting real property

3   in certain subdivisions and the authority of the Llano County

4   Municipal Utility District No. 1 to issue bonds.

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

6   SECTION 1. Subdivision (4), Section 211.001, Property Code,

7   is amended to read as follows:

8   (4) "Residential   real   estate   subdivision"   or

9   "subdivision" means all land encompassed within one or more maps or

10   plats of land that is divided into two or more parts if:

11   (A)   the maps or plats cover land all or part of

12   which is not located within a municipality and:

13   (i)   for a county with a population of less

14   than   65,000,   is   not   located   within   the   extraterritorial

15   jurisdiction of a municipality; [or]

16   (ii)   for a county with a population of at

17   least 65,000 and less than 135,000, is located wholly within the

18   extraterritorial jurisdiction of a municipality; or

19   (iii)   for a county that borders Lake

20   Buchanan and has a population of at least 18,500 and less than

21   19,500, is located wholly within the extraterritorial jurisdiction

22   of a municipality;

23   (B)   the land encompassed within the maps or plats

24   is or was burdened by restrictions limiting all or at least a

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1 majority of the land area covered by the map or plat, excluding

2 streets and public areas, to residential use only; and

3 (C) all instruments creating the restrictions

4 are recorded in the deed or real property records of a county.

5 SECTION 2. Subsection (a), Section 211.002, Property Code,

6 is amended to read as follows:

7 (a) This chapter applies only to a residential real estate

8 subdivision or any unit or parcel of a subdivision:

9 (1) all or part of which is located within an

10 unincorporated area of a county if the county has a population of

11 less than 65,000; [or]

12 (2) all of which is located within the

13 extraterritorial jurisdiction of a municipality located in a county

14 that has a population of at least 65,000 and less than 135,000; or

15 (3) all of which is located within the

16 extraterritorial jurisdiction of a municipality located in a county

17 that borders Lake Buchanan and has a population of at least 18,500

18 and less than 19,500.

19 SECTION 3. Subsection (b), Section 4, Chapter 129, Acts of

20 the 70th Legislature, Regular Session, 1987, is amended to read as

21 follows:

22 (b) Bonds may not be issued by the district under this Act

23 except on approval of not less than a majority [two-thirds] of the

24 qualified voters of the district voting at an election called and

25 held for that purpose.

26 SECTION 4. The change in law made by this Act to Subsection

27 (b), Section 4, Chapter 129, Acts of the 70th Legislature, Regular

1 Session, 1987, applies to an election to authorize the issuance of

2 bonds held on or after the effective date of this Act. An election

3 to authorize the issuance of bonds held before the effective date of

4 this Act is governed by the law in effect at the time the election

5 was held, and the former law is continued in effect for that

6 purpose.

7   SECTION 5. This Act takes effect September 1, 2013.