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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 22, 2013

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TO: Honorable Joe Deshotel, Chair, House Committee on Land & Resource Management

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB611** by Guillen (Relating to the regulation of subdivisions in counties, including certain border and economically distressed counties.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to remove the ability for a county to impose a higher standard for streets or roads in a subdivision than the county imposes on itself for the construction of new streets or roads. The bill would include procedures and requirements regarding plats and earnest money contracts.

The bill would amend the Water Code to require a municipality or a county to adopt the model rules pursuant to Section 16.343(g) before an application for funds may be considered by the Texas Water Development Board. Under current statute, a political subdivision is required to adopt the model rules pursuant to this section before receiving funds under the provisions.

The bill also would require a subdivider of land to be notified in writing about the nature of any alleged violation and given 90 days from the notification date to cure the violation before enforcement action may proceed unless dwellings lack water and sewer services. The provisions would not apply to a civil enforcement action if the attorney general, district attorney, or county attorney asserts that an alleged violation or threatened violation poses a threat to a consumer or the health and safety of any person; or a delay in bringing an enforcement action would result in financial loss or increased costs to a person or a county.

The bill would repeal Section 232.021(9) of the Local Government Code.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:
LBB Staff: UP, SZ, SD, TP, KKR