

BILL ANALYSIS

H.B. 1472
By: Workman
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that when certain state law relating to vested rights was inadvertently repealed several years ago, some municipalities in Texas, despite warnings from state legislators, passed ordinances creating their own rules and time periods for the length of certain projects that require a local permit. The parties further contend that when that law was later reinstated, conflicts naturally arose between local ordinances and state law. H.B. 1472 seeks to remedy this situation by revising provisions relating to the issuance of certain local permits.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1472 amends the Local Government Code to remove language limiting the enforcement methods of statutory provisions governing the issuance of local permits relating to a water or wastewater utility owned, operated, or controlled by a regulatory agency or other authorizations required to be obtained for certain actions on a project for which the permit is sought to enforcement only through mandamus or declaratory or injunctive relief. The bill authorizes the attorney general to bring an action to enforce such provisions. The bill makes a political subdivision liable for actual damages and reasonable attorney's fees if it is found in a civil action that the political subdivision has violated such provisions.

EFFECTIVE DATE

September 1, 2015.