

By: Romero, Jr.

H.B. No. 3984

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of municipal impact fees.

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

SECTION 1. Subchapter B, Chapter 395, Local Government Code, is amended by adding Section 395.0115 to read as follows:

Sec. 395.0115. REQUIRED MUNICIPAL IMPACT FEE; ADDITIONAL AMOUNT FOR STATE HIGHWAYS. (a) A municipality shall assess and collect an impact fee for new development in the municipality in an amount per service unit that is not less than the total of:

(1) 20 percent of the maximum amount under Section 395.015; and

(2) five percent of the per service unit cost of any projected roadway facility capital improvements that are the responsibility of the Texas Department of Transportation.

(b) On or before the fifth workday of each month, a municipality shall remit to the Texas Department of Transportation an amount equal to the amount collected by the municipality under Subsection (a)(2) in the preceding month. Money received by the department under this subsection shall be held in a special account and used only for the improvements identified in the capital improvements plan.

(c) The provisions of this chapter applicable to the use and refunding of fees collected by a political subdivision apply in the same manner to the use and refunding of amounts received by the

1 department under Subsection (b).

2 SECTION 2. (a) Section 395.0115, Local Government Code, as
3 added by this Act, applies only to impact fees collected pursuant to
4 a capital improvements plan adopted or updated on or after the
5 effective date of this Act.

6 (b) A municipality that does not have a capital improvements
7 plan on the effective date of this Act shall adopt a capital
8 improvements plan not later than January 1, 2016.

9 SECTION 3. This Act takes effect September 1, 2015.