

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 5, 2015

TO: Honorable Carol Alvarado, Chair, House Committee on Urban Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3701 by Guillen (Relating to a municipality's comprehensive development.), As
Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to require a governing body of a municipality to adopt by resolution or ordinance a comprehensive plan for future and current land use to serve as a basis for making planning or zoning decisions. The bill would permit a governing body of a municipality to amend the comprehensive plan for land use from time to time and would require a governing body to review the comprehensive plan for land use not less than every five years. Under the provisions of the bill, a governing body of a municipality would be required to appoint an advisory committee, who would issue a written report detailing its findings and recommendations regarding the comprehensive plan for land use. The bill would require meetings conducted by the advisory committee to be conducted in accordance with Chapter 552, Government Code and the report by the advisory committee to be made available to certain parties. The bill would require a governing body of a municipality to hold one public hearing prior to adopting the comprehensive plan. Under certain conditions, a landowner would be permitted to petition the governing body of a municipality to amend the comprehensive plan and designate the landowner's tract for a less intense use. The bill would permit a landowner to file suit in a district court if a municipality fails or refuses to amend the plan and recover reasonable court fees and costs.

The bill would repeal Section 213.002(c), Section 213.002(d), and Section 213.005, Local Government Code.

The Office of Court Administration reported no significant fiscal impact is anticipated.

Local Government Impact

According to the Texas Municipal League (TML), the costs to a municipality cannot be determined; the costs would depend on the size of the municipality and the services provided by the municipality. TML reported a comprehensive plan can be costly, especially in smaller municipalities.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, KVe, SD, EK

