By: Guillen   H.B. No. 1328

A BILL TO BE ENTITLED

1   AN ACT

2 relating to standards for advertising land for sale in certain

3 border counties before a subdivision plat for the land has been

4 approved; affecting the prosecution of a criminal offense.

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

6   SECTION 1. Sections 232.033(a) and (h), Local Government

7 Code, are amended to read as follows:

8   (a) Brochures, publications, and advertising of any form

9 relating to [subdivided] land required to be platted under this

10 subchapter:

11   (1) may not contain any misrepresentation; [and]

12   (2) except for a for-sale sign posted on the property

13 that is no larger than three feet by three feet, must accurately

14 describe the availability of water and sewer service facilities and

15 electric and gas utilities; and

16   (3) if a plat for the land has not been finally

17 approved and recorded, must include a notice that:

18   (A) a contract for the sale of any portion of the

19 land may not be entered into until the land receives final plat

20 approval under Section 232.024; and

21   (B) the land may not be possessed or occupied

22 until:

23   (i) the land receives final plat approval

24 under Section 232.024; and

1   (ii) all water and sewer service facilities

2 for the lot are connected or installed in compliance with the model

3 rules adopted under Section 16.343, Water Code.

4   (h) A person who is a seller of lots for which a plat is

5 required under this subchapter [in a subdivision], or a subdivider

6 or an agent of a seller or subdivider, commits an offense if the

7 person knowingly authorizes or assists in the publication,

8 advertising, distribution, or circulation of any statement or

9 representation that the person knows is false concerning any

10 [subdivided] land offered for sale or lease. An offense under this

11 section is a Class A misdemeanor.

12   SECTION 2. Section 232.021(9), Local Government Code, is

13 repealed.

14   SECTION 3. This Act takes effect September 1, 2017.