

By: Romero, Jr.

H.B. No. 3314

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements to replat certain municipal subdivision plats.

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

SECTION 1. Section 212.014, Local Government Code, is amended to read as follows:

Sec. 212.014. REPLATTING WITHOUT VACATING PRECEDING PLAT.

A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:

(1) is signed and acknowledged by only the owners of the property being replatted;

(2) is approved~~[, after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard,~~] by the municipal authority responsible for approving plats; and

(3) does not attempt to amend or remove any covenants or restrictions.

SECTION 2. Section 212.015, Local Government Code, is amended by adding Subsections (a-1), (f), and (g) and amending Subsection (b) to read as follows:

(a-1) If a proposed replat described by Subsection (a) requires a variance or exception, a public hearing must be held by the municipal planning commission or the governing body of the

1 municipality.

2 (b) Notice of the hearing required under Subsection (a-1)
3 [~~Section 212.014~~] shall be given before the 15th day before the date
4 of the hearing by:

5 (1) publication in an official newspaper or a
6 newspaper of general circulation in the county in which the
7 municipality is located; and

8 (2) by written notice, with a copy of Subsection (c)
9 attached, forwarded by the municipal authority responsible for
10 approving plats to the owners of lots that are in the original
11 subdivision and that are within 200 feet of the lots to be
12 replatted, as indicated on the most recently approved municipal tax
13 roll or in the case of a subdivision within the extraterritorial
14 jurisdiction, the most recently approved county tax roll of the
15 property upon which the replat is requested. The written notice may
16 be delivered by depositing the notice, properly addressed with
17 postage prepaid, in a post office or postal depository within the
18 boundaries of the municipality.

19 (f) If a proposed replat described by Subsection (a) does
20 not require a variance or exception, the municipality shall, not
21 later than the 15th day after the date the replat is approved,
22 provide written notice by mail of the approval of the replat to each
23 owner of a lot in the original subdivision that is within 200 feet
24 of the lots to be replatted according to the most recent
25 municipality or county tax roll. This subsection does not apply to
26 a proposed replat if the municipal planning commission or the
27 governing body of the municipality holds a public hearing and gives

1 notice of the hearing in the manner provided by Subsection (b).

2 (g) The notice of a replat approval required by Subsection
3 (f) must include:

4 (1) the zoning designation of the property after the
5 replat; and

6 (2) a telephone number and e-mail address an owner of a
7 lot may use to contact the municipality about the replat.

8 SECTION 3. This Act takes effect September 1, 2019.