

BILL ANALYSIS

H.B. 4426
By: King, Tracy O.
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, some county commissioners courts are able to cancel a subdivision for which the plat was filed and approved before September 1, 1989, and for which improvements were not begun before a certain date if a finding has been made that the land is likely to be developed as a colonia. However, this authority is limited to subdivisions located outside a municipality and a municipality's extraterritorial jurisdiction. Since municipalities have no comparable authority, it has been suggested that including a municipality's extraterritorial jurisdiction within this county authority would be beneficial to help stop the proliferation of colonias. H.B. 4426 seeks to address this issue by extending the conditional authority of certain county commissioners courts to cancel certain subdivisions to apply to certain real property located in a municipality's extraterritorial jurisdiction.

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. 4426 amends the Local Government Code to extend the conditional authority of certain county commissioners courts to cancel a subdivision for which the plat was filed and approved before September 1, 1989, and that has remained undeveloped to apply to real property located in a municipality's extraterritorial jurisdiction if the property is not subject to an applicable written agreement between the county and the municipality that authorizes the municipality to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction.

EFFECTIVE DATE

September 1, 2021.