

## All Published Pre-filed Amendments for HB 1916

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### **Holland**

Barcode

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Amendment

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**The following amendment was  
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FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Hollands

Amend H.B. 1916 (house committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Subchapter A, Chapter 232, Local Government Code, is amended by adding Section 232.0025 to read as follows:

Sec. 232.0025. APPROVAL OF EMERGENCY SERVICES PLAN REQUIRED IN CERTAIN COUNTIES. (a) This section applies only to a county described by Section 49.240(a), Water Code.

(b) A plat application submitted to a county subject to this section must include a plan for the provision of emergency services, including public safety, fire suppression, and emergency medical services, to the tract of land to be subdivided that is approved in writing by the commissioners court of the county.

SECTION 2. Subtitle C, Title 12, Local Government Code, is amended by adding Chapter 400 to read as follows:

CHAPTER 400. DEVELOPMENT IN CERTAIN COUNTIES: REQUIRED APPROVAL AND DECLARATIONS

Sec. 400.001. DEFINITION. In this chapter, "district" means a public improvement district created under Subchapter A, Chapter 372, or a conservation and reclamation district operating under Chapter 49, Water Code.

Sec. 400.002. APPLICABILITY. This chapter applies only to a county with:

- (1) a population of 100,000 or more; and
- (2) a total area that is less than 250 square miles.

Sec. 400.003. COUNTY APPROVAL FOR CERTAIN IMPROVEMENT PROJECTS REQUIRED. A person who develops a subdivided tract of land in a county to which this chapter applies but outside the corporate boundaries or extraterritorial jurisdiction of a municipality must obtain the written approval of the commissioners

1 court of the county before finalizing a plan or specification for  
2 an improvement project that:

3 (1) is a road or drainage improvement project:

4 (A) within a plat that is subject to the  
5 jurisdiction of the county; or

6 (B) on a property, right-of-way, or easement owned  
7 by the county; or

8 (2) involves a dedication of right-of-way of a road or  
9 highway by the person to the county or for public use.

10 Sec. 400.004. FILING AND DECLARATION FOR CERTAIN BONDS. If  
11 a district issues bonds to finance an improvement project described  
12 by Section 400.003 and located in a county to which this chapter  
13 applies, not later than the 60th day after the date the bonds are  
14 issued, the district shall provide a copy of the authorization and  
15 the final official statement of the bonds to the county clerk. The  
16 statement must include a declaration on the cover that the bonds  
17 are not an obligation of the county.

18 Sec. 400.005. DECLARATION FOR CERTAIN PLATS. A person,  
19 other than a county, who develops a subdivided tract of land  
20 outside the corporate boundaries or extraterritorial jurisdiction  
21 of a municipality and in a district located in a county to which  
22 this chapter applies shall file with the plat recorded with the  
23 county a declaration that the land is in a district that levies a  
24 tax or assessment and that the infrastructure that will serve the  
25 land is financed, designed, and constructed by the district and  
26 not the county. The county shall prescribe the form and wording  
27 of the declaration required under this section.

28 Sec. 400.006. NOTICE OF OBLIGATIONS RELATED TO CERTAIN  
29 DISTRICTS. A person who proposes to sell or otherwise convey real  
30 property located in a county to which this chapter applies and  
31 that is subject to Subchapter M, Chapter 49, Water Code, or Section

1 5.014, Property Code, shall include in the written notice provided  
2 to the purchaser the following statement: "The property you are  
3 about to purchase is in a district that is located in the  
4 unincorporated area of the county and not within any city  
5 jurisdiction. The infrastructure to serve the property is  
6 financed, designed, and constructed by the district and not the  
7 county."

8 SECTION 3. Subchapter B, Chapter 49, Water Code, is amended  
9 by adding Section 49.012 to read as follows:

10 Sec. 49.012. APPLICATION REVIEW BY CERTAIN COMMISSIONERS  
11 COURTS. (a) This section applies only to a county to which  
12 Chapter 400, Local Government Code, applies.

13 (b) After a proposed district has filed an application for  
14 the creation of the district with the commission under Section  
15 49.011, the commission shall notify the commissioners court of a  
16 county to which this section applies in which the district is  
17 proposed to be located. The commissioners court shall review the  
18 application for the creation of the district and any other evidence  
19 and information relating to the proposed district. Not later than  
20 the 10th day before the date the commission is set to act on the  
21 petition, the commissioners court may submit to the commission a  
22 written recommendation on the creation of the district and  
23 findings, conclusions, and other information supporting the  
24 recommendation. The commission must consider the written opinion  
25 submitted by the commissioners court.

26 SECTION 4. Section 232.0025, Local Government Code, as added  
27 by this Act, applies only to a plat application filed on or after  
28 the effective date of this Act.

29 SECTION 5. Section 400.004, Local Government Code, as added  
30 by this Act, applies only to bonds issued on or after the effective  
31 date of this Act.

1       SECTION 6. Section 400.005, Local Government Code, as added  
2 by this Act, applies only to a plat application filed on or after  
3 the effective date of this Act.

4       SECTION 7. Section 400.006, Local Government Code, as added  
5 by this Act, applies only to a sale or conveyance of property for  
6 which a binding contract is executed on or after the effective  
7 date of this Act.

8       SECTION 8. (a) Section 49.012, Water Code, as added by this  
9 Act, applies only to the creation of a district, as defined by  
10 Section 49.001, Water Code, on or after the effective date of this  
11 Act.

12       (b) The change in law made by this Act to Chapter 49, Water  
13 Code, does not affect the validity of a district created by  
14 petition to the Texas Commission on Environmental Quality before  
15 the effective date of this Act.

16       SECTION 9. This Act takes effect September 1, 2023.