

BILL ANALYSIS

Senate Research Center
88R4361 SCL-F

H.B. 2232
By: Spiller (Springer)
Local Government
5/20/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There have been concerns regarding a county's ability to regulate subdivision plats in the extraterritorial jurisdiction (ETJ) of a municipality. Under certain agreements, a county may regulate subdivision plats in an ETJ. However, a county may cancel a subdivision only if it lies outside an ETJ. If a county has been granted exclusive jurisdiction to regulate subdivision plats in an ETJ, then there is no local authority that can cancel the plat. The bill addresses this issue by expanding the applicability of provisions relating to the authority of a county to cancel a subdivision.

H.B. 2232 amends current law relating to county authority to cancel subdivisions in the extraterritorial jurisdiction of a municipality.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 232.008(a), Local Government Code, as follows:

(a) Provides that Section 232.008 (Cancellation of Subdivision) applies only to real property located outside:

(1) a municipality; and

(2) the area in the extraterritorial jurisdiction of a municipality not subject to an agreement described by:

(A) Section 242.001(d)(2) (relating to authorizing the county to be granted exclusive jurisdiction to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction and to regulate subdivisions); or

(B) Section 242.001(d)(3) (relating to authorizing the municipality and the county to apportion the area within the extraterritorial jurisdiction of the municipality with the municipality regulating subdivision plats and approving related permits in the area assigned to the municipality and the county regulating subdivision plats and approving related permits in the area assigned to the county) that apportions the area to a county.

Deletes existing text providing that this section applies only to real property located outside municipalities and the extraterritorial jurisdiction of municipalities, as determined under Chapter 42 (Extraterritorial Jurisdiction of Municipalities).

SECTION 2. Effective date: September 1, 2023.