

By: Vasut

H.B. No. 282

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain counties and municipalities to regulate certain subdivisions in a municipality's extraterritorial jurisdiction.

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

SECTION 1. Chapter 242, Local Government Code, is amended by adding Sections 242.0012 and 242.0013 to read as follows:

Sec. 242.0012. UNILATERAL AMENDMENT OF JURISDICTION AGREEMENT BY CERTAIN COUNTIES FOR CERTAIN PARCELS. (a) In this section, "qualified parcel" means a parcel of land that:

(1) is greater than 10 acres in size or is platted as part of a phased development that is greater than 10 acres in size;

(2) is proposed to be subdivided into residential parcels, each less than one-half acre in size;

(3) is not subject to an agreement under Section 42.044; and

(4) is not subject to an annexation agreement with a municipality in which the municipality annexes the parcel not later than the earlier of:

(A) the 20th anniversary of the date any bond for improvements to the parcel is issued by a municipal utility district; or

(B) the 30th anniversary of the date the agreement is entered into.

1 (b) This section applies only to a county that has a
2 population of more than 370,000 and contains more than six
3 municipalities, each with a population of less than 2,000.

4 (c) The commissioners court of a county by order may amend
5 an agreement entered into under Section 242.001(c) with a
6 municipality to transfer exclusive jurisdiction to the county to
7 regulate subdivision platting for a qualified parcel.

8 (d) Before the commissioners court of a county may amend an
9 agreement under Subsection (c), the county must:

10 (1) consult in person with a representative of the
11 municipality that is a party to the agreement proposed to be
12 amended; and

13 (2) provide the municipality with written notice of
14 the commissioners court's intent to amend the agreement not later
15 than the 90th day before the date the commissioners court amends the
16 agreement.

17 (e) A county's authority under an amendment adopted under
18 Subsection (c) applies only to a plat application filed on or after
19 the date the commissioners court of the county adopts the order
20 under that subsection.

21 Sec. 242.0013. AMENDMENT BY ARBITRATION FOR AGREEMENTS WITH
22 CERTAIN COUNTIES. (a) This section applies only to a county that
23 has a population of more than 370,000 and contains more than six
24 municipalities, each with a population of less than 2,000.

25 (b) Except as provided by Subsection (c), a party to an
26 agreement entered into under Section 242.001(c) may submit an
27 amendment to the agreement to binding arbitration. Except as

1 provided by Subsection (c), the other party to the agreement may
2 submit any other amendment to the agreement for consideration in
3 the same arbitration not later than the 30th day after the date the
4 other party receives notice of the arbitration.

5 (c) A party may not submit an amendment to arbitration under
6 this section if the amendment applies to a qualified parcel, as
7 defined by Section 242.0012.

8 (d) Before submitting an amendment to an agreement to
9 arbitration under Subsection (b), the party that initiates the
10 arbitration shall consult in person with and provide written notice
11 not later than the 30th day before the date the arbitration is
12 initiated to:

13 (1) if the party is a county, a representative of the
14 municipality that is the other party to the agreement; or

15 (2) if the party is a municipality, a representative
16 of the county that is the other party to the agreement and each
17 other municipality in the county.

18 (e) Only one arbitration may be conducted under this section
19 every 10 years regarding the same agreement entered into under
20 Section 242.001(c).

21 (f) Sections 242.0015(b), (c), (e), (f), (g), and (h) apply
22 to an arbitration conducted under this section. The arbitrator or
23 arbitration panel, as applicable, must be selected not later than
24 the 30th day after the date a party provides notice under Subsection
25 (d).

26 (g) A county or municipality's authority under an amendment
27 submitted under Subsection (b) applies only to a plat application

1 filed on or after the date the arbitrator or arbitration panel, as
2 applicable, renders a decision under this section.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2025.