

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

05/27/23  
Date

Honorable Dan Patrick  
President of the Senate

Honorable Dade Phelan  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 3697 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Paul Bettencourt  
Bettencourt

Bob Hall  
Hall

Jan Huffman  
Huffman

Mayer Middleton  
Middleton

Springer  
Springer On the part of the Senate

F M U

VASUT

Thompson Brazoria

On the part of the House

### Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.



# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

H.B. No. 3697

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to county regulation of subdivisions and approval of  
3 subdivision plans or plats.

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

5 SECTION 1. Section 232.001, Local Government Code, is  
6 amended by amending Subsection (a) and adding Subsections (g) and  
7 (h) to read as follows:

8 (a) The owner of a tract of land located outside the limits  
9 of a municipality must have a plat of the subdivision prepared if  
10 the owner divides the tract into two or more parts to lay out:

- 11 (1) a subdivision of the tract, including an addition;  
12 (2) lots; or  
13 (3) streets, alleys, squares, parks, or other parts of  
14 the tract intended by the owner of the tract to be dedicated to  
15 public use [~~or for the use of purchasers or owners of lots fronting~~  
16 ~~on or adjacent to the streets, alleys, squares, parks, or other~~  
17 ~~parts~~].

18 (g) A plat is considered filed on the date the applicant  
19 submits the plat, along with a completed plat application and the  
20 application fees and other requirements prescribed by or under this  
21 subchapter, to:

- 22 (1) the commissioners court; or  
23 (2) the county authority responsible for approving  
24 plats.

1       (h) The commissioners court or the county authority  
2 responsible for approving plats may not require an analysis, study,  
3 document, agreement, or similar requirement to be included in or as  
4 part of an application for a plat, development permit, or  
5 subdivision of land that is not explicitly required by state law.

6       SECTION 2. Subchapter A, Chapter 232, Local Government  
7 Code, is amended by adding Sections 232.0012 and 232.0022 to read as  
8 follows:

9       Sec. 232.0012. CONSTRUCTION OF SUBCHAPTER. This subchapter  
10 may not be construed to restrict a county from establishing a  
11 submittal calendar to be used by an applicant to facilitate  
12 compliance with the approval process described by Sections  
13 232.0025, 232.0026, 232.0027, and 232.0028.

14       Sec. 232.0022. DELEGATION OF APPROVAL RESPONSIBILITY. (a)  
15 The commissioners court of a county or the court's designee may  
16 designate to one or more officers or employees of the county the  
17 authority to approve, approve with conditions, or disapprove a  
18 plat.

19       (b) An applicant has the right to appeal to the  
20 commissioners court or the court's designee if the designated  
21 person or persons disapprove a plat.

22       SECTION 3. The heading to Section 232.0025, Local  
23 Government Code, is amended to read as follows:

24       Sec. 232.0025. APPROVAL PROCEDURE: TIMELY APPROVAL OF PLATS  
25 [~~AND PLANS~~].

26       SECTION 4. Section 232.0025, Local Government Code, is  
27 amended by amending Subsections (a), (b), (c), (d), (f), (g), (h),

1 and (i) and adding Subsection (f-1) to read as follows:

2 (a) The commissioners court of a county or a person  
3 designated by the commissioners court shall issue a written list of  
4 all [~~the~~] documentation and other information that must be  
5 submitted with a plat application. The documentation or other  
6 information must relate to a requirement authorized under this  
7 section or other applicable law. An application submitted to the  
8 commissioners court or the person designated by the commissioners  
9 court that contains all [~~the~~] documents and other information on  
10 the written list is considered complete. The commissioners court  
11 shall post and continuously maintain the most current version of  
12 the list on the county's Internet website.

13 (b) If a person submits a plat application to the  
14 commissioners court that does not include all of the documentation  
15 or other information required by Subsection (a), the commissioners  
16 court or the county authority responsible for approving plats  
17 [~~court's designee~~] shall, not later than the 10th business day  
18 after the date the commissioners court receives the application,  
19 notify the applicant of the missing documents or other information.  
20 The commissioners court shall allow an applicant to timely submit  
21 the missing documents or other information.

22 (c) An application is considered complete when all  
23 documentation or other information required by Subsection (a) is  
24 received. Acceptance by the commissioners court or the county  
25 authority responsible for approving plats [~~court's designee~~] of a  
26 completed plat application with the documentation or other  
27 information required by Subsection (a) shall not be construed as

1 approval of the documentation or other information.

2 (d) Except as provided by Subsection (f), the commissioners  
3 court or the county authority responsible for approving plats  
4 [~~court's designee~~] shall approve, approve with conditions, or  
5 disapprove a plat application not later than the 30th day after the  
6 date the completed application is received by the commissioners  
7 court or the county authority [~~court's designee~~]. An application is  
8 approved by the commissioners court or the county authority  
9 [~~court's designee~~] unless the application is disapproved within  
10 that period and in accordance with Section 232.0026.

11 (f) The 30-day period under Subsection (d):

12 (1) for a purpose related to Chapter 2007, Government  
13 Code, may be extended for a period not to exceed 30 days, if:

14 (A) requested and agreed to in writing by the  
15 applicant and approved by the commissioners court or the county  
16 authority responsible for approving plats [~~court's designee~~]; or

17 (B) Chapter 2007, Government Code, requires the  
18 county to perform a takings impact assessment in connection with  
19 the plat application; or [~~and~~]

20 (2) for a purpose unrelated to Chapter 2007,  
21 Government Code, may be extended for one or more periods, not to  
22 exceed 30 days, if requested and agreed to in writing by the  
23 applicant and approved by the commissioners court or the county  
24 authority.

25 (f-1) The 30-day period under Subsection (d) applies only to  
26 a decision wholly within the control of the commissioners court or  
27 the county authority responsible for approving plats [~~court's~~

1 ~~designee~~].

2 (g) The commissioners court or the county authority  
3 responsible for approving plats [~~court's designee~~] shall make the  
4 determination under Subsection (f)(1) of whether the 30-day period  
5 will be extended not later than the 20th day after the date a  
6 completed plat application is received by the commissioners court  
7 or the county authority [~~court's designee~~].

8 (h) The commissioners court or the county authority  
9 responsible for approving plats [~~court's designee~~] may not require  
10 an applicant to waive the time limits or approval procedure  
11 contained in this subchapter.

12 (i) If the commissioners court or the county authority  
13 responsible for approving plats [~~court's designee~~] fails to  
14 approve, approve with conditions, or disapprove a plat application  
15 as required by this subchapter:

16 (1) the commissioners court shall refund the greater  
17 of the unexpended portion of any application fee or deposit or 50  
18 percent of an application fee or deposit that has been paid;

19 (2) the application is granted by operation of law;  
20 [~~and~~]

21 (3) the applicant may apply to a district court in the  
22 county where the tract of land is located for a writ of mandamus to  
23 compel the commissioners court to issue documents recognizing the  
24 plat application's approval;

25 (4) the applicant shall recover reasonable attorney's  
26 fees and court costs incurred in bringing an action under  
27 Subdivision (3) if the applicant prevails; and

1           (5) the county may recover reasonable attorney's fees  
2 and court costs incurred in an action brought under Subdivision (3)  
3 if the county prevails and the court finds the action is frivolous.

4           SECTION 5. Section 232.0026(a), Local Government Code, is  
5 amended to read as follows:

6           (a) A commissioners court or county authority responsible  
7 for approving plats [~~designee~~] that conditionally approves or  
8 disapproves of a plat application under this subchapter shall  
9 provide the applicant a written statement of the conditions for the  
10 conditional approval or the reasons for disapproval that clearly  
11 articulates each specific condition for the conditional approval or  
12 reason for disapproval.

13           SECTION 6. Sections 232.0027 and 232.0028, Local Government  
14 Code, are amended to read as follows:

15           Sec. 232.0027. APPROVAL PROCEDURE: APPLICANT RESPONSE TO  
16 CONDITIONAL APPROVAL OR DISAPPROVAL. After the conditional  
17 approval or disapproval of a plat application under Section  
18 232.0026, the applicant may submit to the commissioners court or  
19 county authority responsible for approving plats [~~designee~~] that  
20 conditionally approved or disapproved the application a written  
21 response that satisfies each condition for the conditional approval  
22 or remedies each reason for disapproval provided. The  
23 commissioners court or county authority [~~designee~~] may not  
24 establish a deadline for an applicant to submit the response.

25           Sec. 232.0028. APPROVAL PROCEDURE: APPROVAL OR DISAPPROVAL  
26 OF RESPONSE. (a) A commissioners court or county authority  
27 responsible for approving plats [~~designee~~] that receives a response



1 under Section 232.0027 shall determine whether to approve or  
2 disapprove the applicant's previously conditionally approved or  
3 disapproved plat application not later than the 15th day after the  
4 date the response was submitted under Section 232.0027.

5 (b) A commissioners court or county authority responsible  
6 for approving plats [~~designee~~] that conditionally approves or  
7 disapproves a plat application following the submission of a  
8 response under Section 232.0027:

9 (1) must comply with Section 232.0026; and

10 (2) may disapprove the application only for a specific  
11 condition or reason provided to the applicant for the original  
12 application under Section 232.0026.

13 (c) A commissioners court or county authority responsible  
14 for approving plats [~~designee~~] that receives a response under  
15 Section 232.0027 shall approve a previously conditionally approved  
16 or disapproved plat application if the applicant's response  
17 adequately addresses each condition for the conditional approval or  
18 each reason for the disapproval.

19 (d) A previously conditionally approved or disapproved plat  
20 application is approved if:

21 (1) the applicant filed a response that meets the  
22 requirements of Subsection (c); and

23 (2) the commissioners court or county authority  
24 responsible for approving plats [~~designee~~] that received the  
25 response does not disapprove the application on or before the date  
26 required by Subsection (a) and in accordance with Section 232.0026.

27 SECTION 7. Section 232.0033, Local Government Code, is

1 amended by adding Subsection (c) to read as follows:

2       (c) The commissioners court of a county or the court's  
3 designee may not refuse to review a plat application or refuse to  
4 approve a plat for recordation for failure to identify a corridor,  
5 as defined by Section 201.619, Transportation Code, unless the  
6 corridor is part of an agreement between the Texas Department of  
7 Transportation and the county under that section.

8       SECTION 8. Section 232.0025(d-1), Local Government Code, is  
9 repealed.

10       SECTION 9. As soon as practicable after the effective date  
11 of this Act but not later than January 1, 2024, each county shall  
12 adopt and publish the list described by Section 232.0025, Local  
13 Government Code, as amended by this Act.

14       SECTION 10. The changes in law made by this Act apply only  
15 to a plat application submitted on or after the effective date of  
16 this Act. A plat application submitted before the effective date of  
17 this Act is governed by the law in effect on the date the  
18 application was submitted, and that law is continued in effect for  
19 that purpose.

20       SECTION 11. This Act takes effect September 1, 2023.

**House Bill 3697**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

SECTION 1. Section 232.001(a), Local Government Code, is amended to read as follows:

SECTION 1. Same recitation as House version.

SECTION 1. Section 232.001, Local Government Code, is amended by amending Subsection (a) and adding Subsections (g) and (h) to read as follows:

(a) The owner of a tract of land located outside the limits of a municipality must have a plat of the subdivision prepared if the owner divides the tract into two or more parts to lay out:

(a) Same as House version.

(a) The owner of a tract of land located outside the limits of a municipality must have a plat of the subdivision prepared if the owner divides the tract into two or more parts to lay out:

- (1) a subdivision of the tract, including an addition;
- (2) lots; or
- (3) streets, alleys, squares, parks, or other parts of the tract intended by the owner of the tract to be dedicated to public use *or for the private use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts to be maintained by the purchasers or owners of those lots.*

(1) a subdivision of the tract, including an addition;

(2) lots; or

(3) streets, alleys, squares, parks, or other parts of the tract intended by the owner of the tract to be dedicated to public use ~~*[or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts].*~~

*No equivalent provision.*

Same as House version.

(g) A plat is considered filed on the date the applicant submits the plat, along with a completed plat application and the application fees and other requirements prescribed by or under this subchapter, to:

(1) the commissioners court; or

(2) the county authority responsible for approving plats.

*No equivalent provision.*

Same as House version. *(But see Section 232.101(d) in SECTION 4 below.)*

(h) The commissioners court or the county authority responsible for approving plats may not require an analysis, study, document, agreement, or similar requirement to be included in or as part of an application for a plat,

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SENATE VERSION (IE)

CONFERENCE

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

development permit, or subdivision of land that is not explicitly required by state law.

*No equivalent provision.*

Same as House version.

SECTION 2. Subchapter A, Chapter 232, Local Government Code, is amended by adding Sections 232.0012 and 232.0022 to read as follows:

Sec. 232.0012. CONSTRUCTION OF SUBCHAPTER. This subchapter may not be construed to restrict a county from establishing a submittal calendar to be used by an applicant to facilitate compliance with the approval process described by Sections 232.0025, 232.0026, 232.0027, and 232.0028.

Sec. 232.0022. DELEGATION OF APPROVAL RESPONSIBILITY. (a) The commissioners court of a county or the court's designee may designate to one or more officers or employees of the county the authority to approve, approve with conditions, or disapprove a plat.

(b) An applicant has the right to appeal to the commissioners court or the court's designee if the designated person or persons disapprove a plat.

*No equivalent provision.*

Same as House version.

SECTION 3. The heading to Section 232.0025, Local Government Code, is amended to read as follows:

Sec. 232.0025. APPROVAL PROCEDURE: TIMELY APPROVAL OF PLATS [AND PLANS].

SECTION 2. Sections 232.0025(a) and (i), Local Government Code, are amended to read as follows:

SECTION 2. Same recitation as House version.

SECTION 4. Section 232.0025, Local Government Code, is amended by amending Subsections (a), (b), (c), (d), (f), (g), (h), and (i) and adding Subsection (f-1) to read as follows:

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SENATE VERSION (IE)

CONFERENCE

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

(a) (a) Same as House version.

*No equivalent provision.*

Same as House version.

(a) Same as House version.

(b) If a person submits a plat application to the commissioners court that does not include all of the documentation or other information required by Subsection (a), the commissioners court or the county authority responsible for approving plats [~~court's designee~~] shall, not later than the 10th business day after the date the commissioners court receives the application, notify the applicant of the missing documents or other information. The commissioners court shall allow an applicant to timely submit the missing documents or other information.

*No equivalent provision.*

Same as House version.

(c) An application is considered complete when all documentation or other information required by Subsection (a) is received. Acceptance by the commissioners court or the county authority responsible for approving plats [~~court's designee~~] of a completed plat application with the documentation or other information required by Subsection (a) shall not be construed as approval of the documentation or other information.

*No equivalent provision.*

Same as House version.

(d) Except as provided by Subsection (f), the commissioners court or the county authority responsible for approving plats [~~court's designee~~] shall approve, approve with conditions, or disapprove a plat application not later than the 30th day after the date the completed application is received by the commissioners court or the county authority [~~court's designee~~]. An application is approved by the commissioners

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SENATE VERSION (IE)

CONFERENCE

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

court or the county authority [~~court's designee~~] unless the application is disapproved within that period and in accordance with Section 232.0026.

*No equivalent provision.*

Same as House version.

(f) The 30-day period under Subsection (d):  
(1) for a purpose related to Chapter 2007, Government Code, may be extended for a period not to exceed 30 days, if:  
(A) requested and agreed to in writing by the applicant and approved by the commissioners court or the county authority responsible for approving plats [~~court's designee~~]; or  
(B) Chapter 2007, Government Code, requires the county to perform a takings impact assessment in connection with the plat application; or [and]  
(2) for a purpose unrelated to Chapter 2007, Government Code, may be extended for one or more periods, not to exceed 30 days, if requested and agreed to in writing by the applicant and approved by the commissioners court or the county authority.

*No equivalent provision.*

Same as House version.

(f-1) The 30-day period under Subsection (d) applies only to a decision wholly within the control of the commissioners court or the county authority responsible for approving plats [~~court's designee~~].

*No equivalent provision.*

Same as House version.

(g) The commissioners court or the county authority responsible for approving plats [~~court's designee~~] shall make the determination under Subsection (f)(1) of whether the 30-day period will be extended not later than the 20th day after

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SENATE VERSION (IE)

CONFERENCE

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

the date a completed plat application is received by the commissioners court or the county authority [~~court's designee~~].

(h) The commissioners court or the county authority responsible for approving plats [~~court's designee~~] may not require an applicant to waive the time limits or approval procedure contained in this subchapter.

(i) If the commissioners court or the county authority responsible for approving plats [~~court's designee~~] fails to approve, approve with conditions, or disapprove a plat application as required by this subchapter:

(1) the commissioners court shall refund the greater of the unexpended portion of any application fee or deposit or 50 percent of an application fee or deposit that has been paid;

(2) the application is granted by operation of law; [~~and~~]

(3) the applicant may apply to a district court in the county where the tract of land is located for a writ of mandamus to compel the commissioners court to issue documents recognizing the plat application's approval;

(4) the applicant shall recover reasonable attorney's fees and court costs incurred in bringing an action under Subdivision (3) if the applicant prevails; and

(5) the county may recover reasonable attorney's fees and court costs incurred in an action brought under Subdivision (3) if the county prevails and the court finds the action is frivolous.

*No equivalent provision.*

Same as House version.

(i) If the commissioners court or the *court's designee* fails to approve, approve with conditions, or disapprove a plat application as required by this subchapter:

(i) Same as House version.

(1) the commissioners court shall refund the greater of the unexpended portion of any application fee or deposit or 50 percent of an application fee or deposit that has been paid;

(2) the application is granted by operation of law; [~~and~~]

(3) the applicant may apply to a district court in the county where the tract of land is located for a writ of mandamus to compel the commissioners court to issue documents recognizing the plat application's approval; and

(4) the prevailing party in an action filed under Subdivision (3) may recover reasonable attorney's fees and court costs incurred in the action.

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SENATE VERSION (IE)

CONFERENCE

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

*No equivalent provision.*

Same as House version.

SECTION 5. Section 232.0026(a), Local Government Code, is amended to read as follows:

(a) A commissioners court or county authority responsible for approving plats [~~designee~~] that conditionally approves or disapproves of a plat application under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or the reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.

*No equivalent provision.*

Same as House version.

SECTION 6. Sections 232.0027 and 232.0028, Local Government Code, are amended to read as follows:

Sec. 232.0027. APPROVAL PROCEDURE: APPLICANT RESPONSE TO CONDITIONAL APPROVAL OR DISAPPROVAL. After the conditional approval or disapproval of a plat application under Section 232.0026, the applicant may submit to the commissioners court or county authority responsible for approving plats [~~designee~~] that conditionally approved or disapproved the application a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The commissioners court or county authority [~~designee~~] may not establish a deadline for an applicant to submit the response.

Sec. 232.0028. APPROVAL PROCEDURE: APPROVAL OR DISAPPROVAL OF RESPONSE. (a) A commissioners court or county authority responsible for approving plats [~~designee~~] that receives a response under Section 232.0027 shall determine whether to approve or



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SENATE VERSION (IE)

CONFERENCE

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

disapprove the applicant's previously conditionally approved or disapproved plat application not later than the 15th day after the date the response was submitted under Section 232.0027.

(b) A commissioners court or county authority responsible for approving plats [~~designee~~] that conditionally approves or disapproves a plat application following the submission of a response under Section 232.0027:

(1) must comply with Section 232.0026; and  
(2) may disapprove the application only for a specific condition or reason provided to the applicant for the original application under Section 232.0026.

(c) A commissioners court or county authority responsible for approving plats [~~designee~~] that receives a response under Section 232.0027 shall approve a previously conditionally approved or disapproved plat application if the applicant's response adequately addresses each condition for the conditional approval or each reason for the disapproval.

(d) A previously conditionally approved or disapproved plat application is approved if:

(1) the applicant filed a response that meets the requirements of Subsection (c); and

(2) the commissioners court or county authority responsible for approving plats [~~designee~~] that received the response does not disapprove the application on or before the date required by Subsection (a) and in accordance with Section 232.0026.

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SENATE VERSION (IE)

CONFERENCE

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

SECTION 3. Section 232.0033, Local Government Code, is amended.

*No equivalent provision.*

*No equivalent provision.*

SECTION 3. Same as House version.

Same as House version.

SECTION 4. Section 232.101, Local Government Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows: [FA1(1);FA2(1)]

(a) By an order adopted and entered in the minutes of the commissioners court and after a notice is published in a newspaper of general circulation in the county, the commissioners court may adopt rules governing plats and subdivisions of land within the unincorporated area of the county as authorized by this subchapter ~~[to promote the health, safety, morals, or general welfare of the county and the safe, orderly, and healthful development of the unincorporated area of the county].~~

(b) A ~~[Unless otherwise authorized by state law, a]~~ commissioners court shall not regulate, either directly or indirectly ~~[under this section]:~~

- (1) the use of any building or property for business, industrial, residential, or other purposes;
- (2) the bulk, height, or number of buildings constructed on a particular tract of land;
- (3) the size of a building that can be constructed on a particular tract of land, including without limitation and restriction on the ratio of building floor space to the land square footage;

SECTION 7. Same as House version.

SECTION 8. Section 232.0025(d-1), Local Government Code, is repealed.

Same as House version.

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CONFERENCE

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

(4) except as provided by Subsection (b-1), the minimum size of a lot, dimensions of a lot, minimum width of a lot frontage, minimum distance a lot must be set back from a road or property line, or another component of lot density on a particular tract of land; [FA2(2)]

(5) the number of residential units that can be built per acre of land;

(6) [~~(5)~~] a plat or subdivision in an adjoining county; or

(7) [~~(6)~~] road access to a plat or subdivision in an adjoining county.

(b-1) A county that has a population of more than 370,000 and contains more than eight municipalities, each with a population of less than 2,000, may regulate the minimum size of a lot, dimensions of a lot, minimum width of a lot frontage, minimum distance a lot must be set back from a road or property line, or another component of lot density on a particular tract of land that the county may otherwise regulate under other law. [FA2(3)]

(d) A rule related to plats, development permits, and subdivisions of land may not require any analysis, study, document, agreement, or similar requirement that is not otherwise specifically required by statute. [FA1(2)]

*(See Section 232.001(h) in SECTION 1 above.)*

***No equivalent provision.***

SECTION \_\_. Section 232.103, Local Government Code, is amended to read as follows:

Sec. 232.103. LOT FRONTAGES. Subject to Sections 232.101(b) and (b-1), by [By] an order adopted and entered in the minutes of the commissioners court and after a notice is published in a newspaper of general circulation in the

Same as House version.

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CONFERENCE

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

county, the commissioners court may adopt reasonable standards for minimum lot frontages on existing county roads and establish reasonable standards for the lot frontages in relation to curves in the road. [FA2(5)]

*No equivalent provision.*

SECTION \_\_. Section 232.104, Local Government Code, is amended to read as follows:

Sec. 232.104. SET-BACKS. Subject to Sections 232.101(b) and (b-1), by [By] an order adopted and entered in the minutes of the commissioners court and after a notice is published in a newspaper of general circulation in the county, the commissioners court may establish reasonable building and set-back lines as provided by Chapter 233 without the limitation period provided by Section 233.034(c) [233.004(e)]. [FA2(5)]

Same as House version.

No equivalent provision.

Same as House version. SECTION 5. [Deleted by FA2(4)]

Same as House version.

SECTIONS 4-5. Transition provisions.

SECTIONS 6-7. Same as House version.

SECTIONS 9-10. Same as House version.

SECTION 6. This Act takes effect September 1, 2023.

SECTION 8. ***This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect,*** this Act takes effect September 1, 2023.

SECTION 11. Same as House version.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 27, 2023**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3697** by Wilson (Relating to county regulation of subdivisions and approval of subdivision plans or plats.), **Conference Committee Report**

<b>No significant fiscal implication to the State is anticipated.</b>
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It is assumed that any costs associated with the bill could be absorbed using existing resources.

**Local Government Impact**

There could be an impact on certain counties related to the regulation of subdivisions and approval procedures for subdivision plans or plats, as would be amended by the bill.

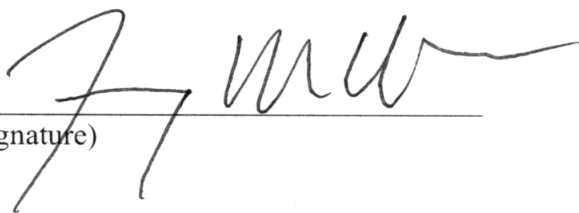
**Source Agencies:**

**LBB Staff:** JMc, CMA, AF, NTh

**Certification of Compliance with  
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order.

I certify that a copy of the conference committee report on HB 3697 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before paper copies of the report were submitted to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

  
\_\_\_\_\_  
(Signature)

05/27/23  
\_\_\_\_\_  
(Date)