

BILL ANALYSIS

Senate Research Center
76R12299 CMR-D

C.S.S.B. 1175
By: Wentworth
Intergovernmental Relations
4/15/1999
Committee Report (Substituted)

DIGEST

Currently, counties with certain road districts and refinanced bond indebtedness are the ultimate guarantors of millions of dollars in bonds. These road districts may be negatively impacted by changes in impervious cover limits that a city may impose, if some of the territory of the road district lies within a city. Repayment of bonds becomes difficult, if the amount of land to be developed within the district is limited. C.S.S.B. 1175 would assure that land could be developed at a current impervious cover limit.

PURPOSE

As proposed, C.S.S.B. 1175 regulates land development in certain political subdivisions to certain cover limits.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 3, Title 22, V.T.C.S., by adding Article 726a, as follows:

Art. 726a. LAND DEVELOPMENT IN ROAD DISTRICT WITH OUTSTANDING INDEBTEDNESS

Sec. 1. DEFINITIONS. Defines “affected area,” “assessment road district,” “land development,” and “regulation.”

Sec. 2. CHANGES IN REGULATION OF LAND DEVELOPMENT. Requires the political subdivision to pay the outstanding bonded indebtedness of the assessment road district before the change takes effect, if a political subdivision changes regulations regarding land development that apply to more than 20 percent of the land in an assessment road district in a manner that reduces the amount of impervious cover, and defined in the regulations or that reduces the total allowable floor area of a building on developed land after March 9, 1999 and before March 9, 2019. Provides that Subsection (a) does not apply to an affected land owner who agrees in writing to a regulation that reduces the amount of impervious cover or that reduces the total allowable floor area of a building on developed land.

Sec. 3. ANNEXATION OF PROPERTY TO AN ASSESSMENT ROAD DISTRICT. Authorizes a person who owns land in an affected area to request that the governing body of an assessment road district annex any part of the owner’s land within two miles of the district’s boundaries. Authorizes the governing body of the district by resolution to annex the land, on request under Subsection (a) of this section. Requires the governing body of the district to reapportion the remaining assessment on the owner’s land on a per acre basis for all of the owner’s land in the district, after annexation of the land under this section.

Sec. 4. EXPIRATION. Provides that this article expires March 10, 2019.

SECTION 2. Effective date: September 1, 1999.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 2, Article 726a, Chapter 3, Title 22, V.T.C.S., to require the political subdivision to pay the outstanding bonded indebtedness of the assessment road district before the change takes effect, if a political subdivision changes regulations regarding land development that apply to more than 20 percent of the land in an assessment road district in a manner that reduces the amount of impervious cover, and defined in the regulations or that reduces the total allowable floor area of a building on developed land after March 9, 1999 and before March 9, 2019. Provides that Subsection (a) does not apply to an affected land owner who agrees in writing to a regulation that reduces the amount of impervious cover or that reduces the total allowable floor area of a building on developed land. Deletes text requiring the political subdivision to pay landowners within the assessment road district the amount of any assessments prepaid with no building permit. Deletes text prohibiting a political subdivision from reducing the total allowable floor area of a building on developed land by more than five percent. Makes a conforming change.

Adds Section 4, Article 726a, Chapter 3, Title 22, V.T.C.S., regarding the expiration date.