

BILL ANALYSIS

Senate Research Center

H.B. 3410
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Owners of real property that is located outside the boundaries of a municipality periodically desire to re-subdivide their parcels into two or more lots. It is not uncommon for a county to require an owner to create an amended plat and provide it along with copies of the existing plat and existing subdivision regulations. Once the information is received, the county verifies that the amended plat meets current regulations. Upon completion of such review, current law requires three separate publications of a public hearing on the proposed plat, with notices published between seven and 30 days prior to the hearing. In addition to the publication requirements, a certified or registered letter must be sent to each lot owner in the subdivision. Depending on the size of the existing subdivision, numerous letters may need to be mailed involving significant effort and costs.

H.B. 3410 streamlines the process of re-subdividing a parcel into six or fewer lots by authorizing the county to process the amended plat without the need for a public hearing so long as certain conditions apply.

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 232.0095, Local Government Code, by amending Subsection (b) and adding Subsection (c), as follows

(b) Deletes existing text relating to a plat amendment within a municipality's jurisdiction.

(c) Authorizes an amended plat, instead of the purpose described by Section 212.016(a)(10) (Amending Plat), to be approved and issued by the county to make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if the changes do not affect applicable county regulations, including zoning regulations if the county has authority to adopt zoning regulations, and the changes do not attempt to amend or remove any covenants or restrictions.

SECTION 2. Effective date: upon passage or September 1, 2007.