

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 674
By: Ratliff (Carona)
Intergovernmental Relations
5/14/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the Texas Education Code, school districts have primary responsibility for implementing the state's system of public education and ensuring student performance. In order to accomplish these tasks, school districts need to provide a range of services including transportation for students, rooms for instruction, meals, and teachers. These services require adequate planning and logistics and are closely associated with the number of students for whom the district serves.

Current law requires that, before a city's zoning commission holds a public hearing to re-zone a property, notification must be sent to property owners located near the property with a proposed zoning change. However, school districts do not have to be notified of proposed zoning changes. This can have a negative effect on school districts' ability to properly plan and budget as they may be unaware of increased future demand on their resources through residential development.

C.S.H.B. 674 amends current law relating to providing notice of certain proposed municipal zoning changes to a school district.

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 211.007, Local Government Code, by adding Subsections (c-1) and (c-2), as follows:

(c-1) Requires that written notice of each public hearing before the zoning commission on a proposed change in a zoning classification affecting residential or multifamily zoning, before the 10th day before the hearing date, to be sent to each school district in which the property for which the change in classification is proposed is located. Authorizes the notice to be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail.

(c-2) Provides that Subsection (c-1) does not apply to a municipality the majority of which is located in a county with a population of 100,000 or less, except that such a municipality is required to give notice under Subsection (c-1) to a school district that has territory in the municipality and requests the notice. Requires the municipality, for purposes of this subsection, if a school district makes a request for notice under Subsection (c-1), to give notice of each public hearing held following the request unless the school district requests that no further notices under Subsection (c-1) be given to the school district.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2013.