

- SUBJECT:** Extending the authority of certain counties to cancel some subdivisions
- COMMITTEE:** Land and Resource Management — favorable, without amendment
- VOTE:** 8 ayes — Deshotel, Leman, Biedermann, Craddick, Romero, Rosenthal, Spiller, Thierry
- 0 nays
- 1 absent — Burrows
- WITNESSES:** None
- BACKGROUND:** Local Government Code sec. 232.0085 allows the commissioners court of a county to cancel certain subdivisions for which the plat was filed and approved before September 1, 1989, and which had remained undeveloped if the development or making of improvements in the subdivision was not begun by a certain date and the court found that the land was likely to be developed as a colonia.
- This authorization applies only to subdivisions located outside municipalities and their extraterritorial jurisdiction (ETJ) in an affected county, as defined by the Water Code, that has adopted certain statutory model rules related to safe and sanitary water supply and sewer services.
- It has been suggested that including undeveloped subdivisions in the ETJ of a municipality among those that can be canceled by counties would help prevent the proliferation of colonias in those areas.
- DIGEST:** HB 4426 would amend Local Government Code sec. 232.0085 to allow a county commissioners court to cancel a subdivision for which the plat was filed and approved before September 1, 1989, and which had remained undeveloped and that was located in a municipality's extraterritorial jurisdiction if the area was not subject to a written agreement under specified statute that authorized the municipality to regulate subdivision plats and approve related permits in the ETJ.

The bill would take effect September 1, 2021.