

BILL ANALYSIS

Senate Research Center

H.B. 1110
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Intergovernmental Relations
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Committee Report (Amended)

DIGEST

Currently, Texas law allows municipal code violators to leave their property in a non-conforming status for 10 days, which may have an adverse impact on property values. In addition, the 10-day limit curtails a local government's right to control municipal code violations. H.B. 1110 would establish conditions regarding the requirements for notice and violations of certain municipal ordinances.

PURPOSE

As proposed, H.B. 1110 establishes conditions regarding the requirements for notice and violations of certain municipal ordinances.

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 Section 342.006, Health and Safety Code, to authorize a municipality to perform certain tasks, if the owner of property in the municipality does not comply with a municipal ordinance or requirement within seven days, rather than 10 days, of notice of the violation. Sets forth requirements by which the notice must be given, including by letter addressed to the owner's recorded address, or providing certain circumstances by publication at least once, rather than twice within 10 consecutive days. Provides that if the properly mailed notice is returned and marked as "refused" or "unclaimed" the validity of the notice is not affected and is considered as delivered. Authorizes a municipality, in a notice, to inform the owner by regular mail, rather than certified mail and return receipt requested, and by posting certain information on the property.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 342.006, Health and Safety Code, to set forth requirements regarding service of a notice. Establishes conditions by which a notice is considered as valid and delivered. Authorizes certain conditions regarding the mailing of a notice and a notice to be posted on the owner's property.