

BILL ANALYSIS

Senate Research Center

S.B. 711
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Intergovernmental Relations
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As Filed

DIGEST

Currently, counties have a one year warranty period on certain subdivision improvements prior to acceptance by a county, but without any ability to fund the repairs of the improvements if they fail within the first year. This bill requires certain tract owners to execute a maintenance bond for certain subdivision improvements in order to ensure funds for repairing the improvements if the improvements fail within the first year.

PURPOSE

As proposed, S.B. 711 requires certain tract owners to execute a maintenance bond for certain subdivision improvements.

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 232.003, Local Government Code, to authorize the commissioners court after certain conditions have been met to require the owner of the subdivided tract to execute a bond to ensure proper construction of the streets, roads, and drainage improvements in the subdivision in the manner provided by Section 232.004, and to require the owner of the tract to be subdivided to execute a bond to ensure proper construction of the streets, roads, and drainage improvements in the subdivision in the manner provided by Section 232.004. Redesignates Subsections (1) - (7) as Subsections (A)-(G).

SECTION 2. Amends Section 232.004, Local Government Code, to require the owner of the tract, unless an alternative financial guarantee is provided under Section 232.0045, to execute a bond required under Section 232.003(1) before subdividing the tract and execute a bond required under Section 232.003(2) when the county approves the final construction of the streets, roads, and drainage improvements, deleting text which provided that the commissioners court must require the bonds. Requires a bond required under Section 232.003 to be payable to certain parties and executed with sureties and executed by authorized companies, deleting text requiring a certain amount for the bond. Requires a bond required under Section 232.003(1) to be in a certain amount. Requires a bond required under Section 232.003(2) to be in a certain amount for a certain period. Makes conforming and nonsubstantive changes.

SECTION 3. Makes application of this Act prospective to November 1, 1999. Effective date: 90 days after adjournment.