

BILL ANALYSIS

Senate Research Center
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S.B. 1631
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DIGEST AND PURPOSE

Currently, Texas counties are given little authority over development in their unincorporated areas. As proposed, S.B. 1631 gives the commissioners court in each Texas county, after approval by the voters in the county, the authority to adopt court orders to regulate development in unincorporated areas of the county and impose impact fees.

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 Chapter 232, Local Government Code, by adding Subchapter F, as follows:

SUBCHAPTER F. REGULATION OF LAND DEVELOPMENT

Sec. 232.151. SCOPE OF REGULATION OF REGULATORY AUTHORITY.

Authorizes the commissioners court of a county that is granted authority in accordance with this subchapter to regulate, by order, land development in the unincorporated area of the county by enforcing certain provisions.

Sec. 232.152. ELECTION TO GRANT REGULATORY AUTHORITY. Authorizes the commissioners court of a county to order and hold an election in the county on the question of granting the commissioners court the authority to regulate land development in the unincorporated area of the county.

Sec. 232.153. BALLOT PROPOSITION. Requires the ballot, for an election under this subchapter, to be prepared to permit voting for or against the proposition: "Granting (name of county) the authority to regulate land development in the unincorporated area of the county."

Sec. 232.154. EFFECT OF ELECTION. Authorizes the commissioners of the county, if a majority of the votes received on the question at the election approve the grant of authority, to adopt a regulation under this subchapter.

SECTION 2. Amends Section 395.001(7), Local Government Code, to redefine "political subdivision."

SECTION 3. Amends Section 395.011(b), Local Government Code, to delete a reference to "corporate" boundaries from existing text.

SECTION 4. Amends Sections 395.016(c) and (d), Local Government Code, to make conforming changes.

SECTION 5. Amends the heading to Chapter 232, Local Government Code, to read as follows:

CHAPTER 232. COUNTY REGULATION OF SUBDIVISIONS AND PROPERTY
DEVELOPMENT

SECTION 6. Effective date: upon passage or September 1, 2003.