

BILL ANALYSIS

Senate Research Center
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H.B. 2021
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Transportation & Homeland Security
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, there are certain subdivisions of land, located outside the jurisdiction of a municipality, that require the preparation and recording of a plat. This plat is approved by the county if the plat meets certain requirements. However, if a plat is located in a future transportation corridor, the county does not have the ability to disapprove that plat. Furthermore, there is currently no requirement that a purchaser or lessee be notified that the land has been identified as part of a future transportation corridor. H.B. 2021 allows counties to work in conjunction with the Texas Department of Transportation to identify future transportation corridors and requires each purchase contract or lease to contain a statement that the land is located in a future corridor.

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 Subchapter H, Chapter 201, Transportation Code, by adding Section 201.617, as follows:

Sec. 201.617. COOPERATIVE PLANNING WITH COUNTIES. (a) Authorizes the Texas Department of Transportation (TxDOT) and a county to enter into an agreement for the purpose of identifying future transportation corridors within the county. Requires the corridors identified in the agreement to be derived from existing transportation plans adopted by TxDOT or the Texas Transportation Commission (commission), the county, or a metropolitan planning organization.

(b) Requires TxDOT to publish in the Texas Register and in a newspaper of general circulation in the county with whom TxDOT has entered into an agreement under Subsection (a) a notice that copies of the agreement and all plans referred to by the agreement are available at one or more designated TxDOT offices.

SECTION 2. Amends Section 232.001(b), Local Government Code, to require the plat, in order to be recorded, if the subdivision is located on land within a future transportation corridor identified in an agreement under Section 201.617, Transportation Code, to state that fact.

SECTION 3. Amends Subchapter A, Chapter 232, Local Government Code, by adding Section 232.0033, as follows:

Sec. 232.0033. DEVELOPMENT IN FUTURE TRANSPORTATION CORRIDORS. (a) Provides that this section applies to a subdivision located on land within a future transportation corridor identified in an agreement under Section 201.617, Transportation Code.

(b) Requires each purchase contract or lease made between a subdivider and a purchaser or lessee of land in the subdivision to contain a statement that the land is within a future transportation corridor.

SECTION 4. Amends Section 232.023, Local Government Code, by adding Subsection (c-1), as follows:

(c-1) Requires a plat required under this section, if the subdivision is located on land within a future transportation corridor identified in an agreement under Section 201.617, Transportation Code, to state that fact.

SECTION 5. Amends Subchapter B, Chapter 232, Local Government Code, by adding Section 232.0251, as follows:

Sec. 232.0251. DEVELOPMENT IN FUTURE TRANSPORTATION CORRIDORS.

(a) Provides that this section applies to a subdivision located on land within a future transportation corridor identified in an agreement under Section 201.617, Transportation Code.

(b) Requires each purchase contract or lease made between a subdivider and a purchaser or lessee of land in the subdivision to contain a statement that the land is within a future transportation corridor.

SECTION 6. Amends Section 232.100, Local Government Code, to provide that this subchapter applies only to the subdivision of land that is subject to county regulations under Subchapter A or B. Deletes existing text relating to subdivisions of land to which this subchapter applies.

SECTION 7. Amends Section 232.102, Local Government Code, to authorize the commissioners court, by an order adopted and entered in the minutes of the commissioners court and after a notice is published in a newspaper of general circulation in the county, to require the dedication of land thoroughfare plan adopted by the county or the metropolitan planning organization of the region. Makes nonsubstantive changes.

SECTION 8. Makes application of this Act prospective.

SECTION 9. Effective date: September 1, 2005.