

86R20764 SCL-F

By: Oliverson H.B. No. 3167

Substitute the following for H.B. No. 3167:

By: Craddick C.S.H.B. No. 3167

A BILL TO BE ENTITLED

AN ACT

relating to county and municipal approval procedure for land development applications.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 6. Chapter 212, Local Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. APPROVAL PROCEDURES FOR LAND DEVELOPMENT APPLICATIONS

SECTION 7. Subchapter A, Chapter 232, Local Government Code, is amended by adding Sections 232.0005 and 232.0023 to read as follows:

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- Sec. 232.0005. DEFINITION. In this subchapter, "plan" means a subdivision development plan, including a preliminary plat, preliminary subdivision plan, subdivision construction plan, site development plan, and final plat.
- Sec. 232.0023. APPROVAL PROCEDURE: APPLICABILITY. The plan application approval procedures under this subchapter apply to a county regardless of whether the county has entered into an interlocal agreement, including an interlocal agreement between a municipality and county under Section 242.001(d).

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- (d) Except as provided by Subsection (f), the commissioners court or the court's designee shall approve or disapprove [~~take final action on~~] a plan [~~plat~~] application[, ~~including the resolution of all appeals,~~] not later than the 30th [~~60th~~] day after the date the [~~a~~] completed [~~plat~~] application is received by the commissioners court or the court's designee. An application is considered approved by the commissioners court or the court's designee unless the application is disapproved within that period and in accordance with Section 232.0026.

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- (f) The 30-day [~~60-day~~] period under Subsection (d):
 - (1) may be extended for a [~~reasonable~~] period not to exceed 30 days, if:
 - (A) requested and agreed to in writing by the applicant and approved by the commissioners court or the court's designee; or
 - (B) [(2) may be extended 60 additional days if] Chapter 2007, Government Code, requires the county to perform a takings impact assessment in connection with the plan [~~a plat~~] application; and
 - (2) [(3)] applies only to a decision wholly within the control of the commissioners court or the court's designee.

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