

## **BILL ANALYSIS**

Senate Research Center  
77R3934 PAM-F

S.B. 829  
By: Lindsay  
Intergovernmental Relations  
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As Filed

### **DIGEST AND PURPOSE**

Currently, a municipality may not regulate the use of existing buildings or aspects related to buildings on a tract of land within its extraterritorial jurisdiction. However, a municipality can regulate the construction of water and wastewater facilities in the extraterritorial jurisdiction, sometimes imposing antiquated standards effectively prohibiting the correction of failing sewer or water systems. As proposed, S.B. 829 prohibits a municipality from regulating the size, type, or method of construction of water and wastewater facilities in its extraterritorial jurisdiction to serve existing developed tracts in a county with a population of 2.8 million or more.

### **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 Section 212.003(a), Local Government Code, to prohibit a municipality, in its extraterritorial jurisdiction, from regulating the size, type, or method of construction of a water or wastewater facility that can be constructed to serve a developed tract of land that is: located in a county with a population of 2.8 million or more; and serviced by on-site septic systems that fail to provide adequate services or on-site water wells that fail to provide an adequate supply of safe drinking water.

SECTION 2. Effective date: September 1, 2001.

Limits application of this Act to facilities under construction on the effective date of this Act and for which construction begins on or after the effective date of this Act.