

BILL ANALYSIS

Senate Research Center

C.S.H.B. 1280
By: Oliveira (Lucio)
Intergovernmental Relations
5-1-97
Committee Report (Substituted)

DIGEST

In 1989, state law was amended to prohibit most new utility hookups for a parcel of land unless the utility first receives a determination certificate from the city indicating that the parcel complies with applicable subdivision regulations. The certificate can only be issued by the city's planning commission or governing body under existing law. Brownsville, for instance, would like to be able to delegate the making of such determinations and the issuance of such certificates to one or more persons. These persons would help determination-certificate applicants by processing their applications faster than the Planning Commission, which only meets once every two weeks. C.S.H.B. 1280 grants municipal authorities responsible for approving plats the ability to delegate to others the ability to issue certificates reflecting plat approval compliance, and speeds up the platting process to help developers save time while relieving some burden from the Planning Commission, which could be concentrating on more complex matters.

PURPOSE

As proposed, C.S.H.B. 1280 authorizes the governing body of a municipality to delegate, in writing, the ability to perform any of the responsibilities under this section to one or more persons. Provides that a binding decision of persons under this subsection is appealable to the municipal authority responsible for approving plats.

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 212.0115, Local Government Code, by adding Subsection (i), to authorize the governing body of a municipality to delegate, in writing, the ability to perform any of the responsibilities under this section to one or more persons. Provides that a binding decision of persons under this subsection is appealable to the municipal authority responsible for approving plats.

SECTION 2. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

Amends the relating clause.

SECTION 1.

Amends Section 212.0115, Local Government Code, by adding Subsection (i), to authorize the governing body of a municipality to delegate, in writing, the ability to perform any of the responsibilities under this section to one or more persons. Provides that a binding decision of persons under this subsection is appealable to the municipal authority responsible for approving plats.