

By: Zerwas

H.B. No. 1643

Substitute the following for H.B. No. 1643:

By: Kleinschmidt

C.S.H.B. No. 1643

A BILL TO BE ENTITLED

AN ACT

relating to the duration of a development agreement governing land in the extraterritorial jurisdiction of certain municipalities.

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

SECTION 1. Sections 212.172(b) and (d), Local Government Code, are amended to read as follows:

(b) The governing body of a municipality may make a written contract with an owner of land that is located in the extraterritorial jurisdiction of the municipality to:

(1) guarantee the continuation of the extraterritorial status of the land and its immunity from annexation by the municipality [~~for a period not to exceed 15 years~~];

(2) extend the municipality's planning authority over the land by providing for a development plan to be prepared by the landowner and approved by the municipality under which certain general uses and development of the land are authorized;

(3) authorize enforcement by the municipality of certain municipal land use and development regulations in the same manner the regulations are enforced within the municipality's boundaries;

(4) authorize enforcement by the municipality of land use and development regulations other than those that apply within the municipality's boundaries, as may be agreed to by the landowner

1 and the municipality;

2 (5) provide for infrastructure for the land,
3 including:

4 (A) streets and roads;

5 (B) street and road drainage;

6 (C) land drainage; and

7 (D) water, wastewater, and other utility
8 systems;

9 (6) authorize enforcement of environmental
10 regulations;

11 (7) provide for the annexation of the land as a whole
12 or in parts and to provide for the terms of annexation, if
13 annexation is agreed to by the parties;

14 (8) specify the uses and development of the land
15 before and after annexation, if annexation is agreed to by the
16 parties; or

17 (9) include other lawful terms and considerations the
18 parties consider appropriate.

19 (d) ~~[The parties to a contract may renew or extend it for~~
20 ~~successive periods not to exceed 15 years each.]~~ The total duration
21 of the ~~[original]~~ contract and any successive renewals or
22 extensions may not exceed 45 years.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2011.