

1-1 By: Shapiro, Wentworth S.B. No. 1442  
1-2 (In the Senate - Filed March 10, 2011; March 22, 2011, read  
1-3 first time and referred to Select Committee on Open Government;  
1-4 April 12, 2011, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 3, Nays 0; April 12, 2011,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1442 By: Wentworth

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the application requirements for a local project  
1-11 permit.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (a-1), Section 245.002, Local  
1-14 Government Code, is amended to read as follows:

1-15 (a-1) Rights to which a permit applicant is entitled under  
1-16 this chapter accrue on the filing of a required [~~an~~] original  
1-17 application or plan for development or plat application that gives  
1-18 the regulatory agency fair notice that is sufficient to enable a  
1-19 reasonably prudent person to understand [~~eff~~] the project and the  
1-20 nature of the permit sought. An application or plan is considered  
1-21 filed on the date the applicant delivers the application or plan to  
1-22 the regulatory agency or deposits the application or plan with the  
1-23 United States Postal Service by certified mail addressed to the  
1-24 regulatory agency. A certified mail receipt obtained by the  
1-25 applicant at the time of deposit is *prima facie* evidence of the date  
1-26 the application or plan was deposited with the United States Postal  
1-27 Service.

1-28 SECTION 2. This Act takes effect September 1, 2011.

1-29 \* \* \* \* \*