

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 29, 2009


Date

Honorable David Dewhurst  
President of the Senate

Honorable Joe Straus  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 2275 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

  
\_\_\_\_\_  
Sen. Kip Averitt

  
\_\_\_\_\_  
Sen. Craig Estes

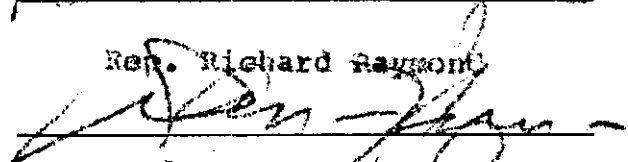
  
\_\_\_\_\_  
Sen. Kevin Eltife


  
\_\_\_\_\_  
Sen. Eddie Lucio

On the part of the Senate

Sen. Judith Zaffirini

  
\_\_\_\_\_  
Rep. Richard Raymond

  
\_\_\_\_\_  
Rep. Dan Flynn

  
\_\_\_\_\_  
Rep. Veronica Gonzales

  
\_\_\_\_\_  
Rep. Mark Guillen

On the part of the House

Rep. Tommy Marrott

## Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

H.B. No. 2275

A BILL TO BE ENTITLED

1 AN ACT

2 relating to creating a task force to develop uniform standards for  
3 subdivisions in the unincorporated areas of counties near the  
4 international border and in economically distressed counties.

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

6 SECTION 1. The legislature finds that the current law  
7 regarding the regulation of subdivisions in the unincorporated  
8 areas of counties near the international border and in economically  
9 distressed counties should be reviewed to ensure that statutory  
10 provisions are consistent and clearly achieve the goals of  
11 promoting uniform subdivision standards in those counties and  
12 enhancing the quality of living for the residents of those  
13 subdivisions.

14 SECTION 2. (a) The Task Force on Uniform County Subdivision  
15 Regulation is composed of 23 members as follows:

16 (1) six members who are county officials or employees  
17 responsible for regulating subdivisions under Subchapter B,  
18 Chapter 232, Local Government Code, appointed by the executive  
19 administrator of the Texas Water Development Board from each of the  
20 following counties:

- 21 (A) El Paso;  
22 (B) Webb;  
23 (C) Starr;  
24 (D) Hidalgo;

1 (E) Cameron; and

2 (F) Nueces;

3 (2) six members who are members of organizations that  
4 represent the interests of colonia residents, appointed by the  
5 executive director of the Texas Department of Housing and Community  
6 Affairs;

7 (3) three members who are county officials or  
8 employees responsible for regulating subdivisions under Subchapter  
9 C, Chapter 232, Local Government Code, appointed by the executive  
10 administrator of the Texas Water Development Board;

11 (4) one member who is a representative of the Texas  
12 Water Development Board and is appointed by the executive  
13 administrator of the board;

14 (5) one member who has legal expertise in subdivision  
15 regulation appointed by the attorney general to represent the  
16 interests of the state;

17 (6) the secretary of state or a designee of the  
18 secretary of state who has expertise in matters affecting colonias;

19 (7) three members who are appointed by the president  
20 of the Texas Association of Builders to represent the interests of  
21 builders and land developers;

22 (8) one member who is a representative of the Texas  
23 Conference of Urban Counties appointed by the executive director of  
24 that organization; and

25 (9) one member who is a representative of the County  
26 Judges and Commissioners Association of Texas appointed by the  
27 president of that association.

1           (b) The members of the Task Force on Uniform County  
2 Subdivision Regulation shall elect a presiding officer, a  
3 secretary, and any other officers the members consider necessary.

4           (c) Appointments to the Task Force on Uniform County  
5 Subdivision Regulation shall be made without regard to race, color,  
6 disability, sex, religion, age, or national origin of the  
7 appointees.

8           (d) A member of the task force who is a state or county  
9 employee is not entitled to additional compensation for serving on  
10 the task force, but is entitled to reimbursement for the member's  
11 actual and necessary expenses in attending meetings of the task  
12 force and performing other official duties authorized by the  
13 presiding officer if the reimbursement is otherwise available to  
14 the member as a state or county employee. A member of the task force  
15 may not be paid compensation or reimbursement for travel or other  
16 expenses from state funds unless the legislature makes a specific  
17 appropriation for that purpose.

18           (e) The Texas Water Development Board shall provide  
19 administrative support to the task force, including necessary staff  
20 and meeting facilities. The Texas Water Development Board may  
21 require the task force to conduct meetings at a location that is  
22 geographically convenient to a majority of the members of the task  
23 force or in various geographic regions of the state.

24           (f) The task force, through the Texas Water Development  
25 Board, may accept gifts and grants from individuals, private or  
26 public organizations, or federal or local funds to support the task  
27 force.

1 (g) Chapter 2110, Government Code, does not apply to the  
2 task force.

3 SECTION 3. The Task Force on Uniform County Subdivision  
4 Regulation shall:

5 (1) research and identify the conflicts and  
6 deficiencies in current law regarding the regulation of the  
7 development of subdivisions in the unincorporated areas of counties  
8 near the international border and in economically distressed  
9 counties; and

10 (2) develop recommendations and draft a proposal for  
11 legislation to create uniform standards for the regulation of the  
12 development of subdivisions in the unincorporated areas of counties  
13 near the international border and in economically distressed  
14 counties.

15 SECTION 4. Not later than December 1, 2010, the Task Force  
16 on Uniform County Subdivision Regulation shall submit its findings,  
17 recommendations, and proposal for legislation to the standing  
18 committees of the senate and house of representatives having  
19 primary jurisdiction over border regions or county affairs.

20 SECTION 5. The Task Force on Uniform County Subdivision  
21 Regulation is abolished and this Act expires on September 2, 2011.

22 SECTION 6. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2009.

House Bill 2275  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Provides legislative findings relating to current law on the regulation of subdivisions in the unincorporated areas of certain counties and notes that such law *contains numerous conflicts and is unnecessarily complex*, particularly regarding the regulation of development in certain areas.

SECTION 2. (a) Establishes the composition of the 15-member Task Force on Uniform County Subdivision Regulation. Among other members, provides for the appointment of the following: three members appointed by the governor to represent private interests in land development; one *member* of the Texas Water Development Board *appointed by the governor or a person designated by that member*; and one member who has *legal* expertise in matters affecting *land development* appointed by the secretary of state to represent the interests of the state.

(b)

SENATE VERSION

SECTION 1. Substantially the same as House version, excepts notes that such law *should be reviewed to ensure that statutory provisions are consistent and clearly achieve the goals of promoting uniform subdivision standards*.

SECTION 2. (a) Similar to House version. Increases the membership of the task force to 23 members. Among other members, provides for the appointment of the following: six members who are members of organizations that represent the interests of colonia residents, appointed by the executive director of the Texas Department of Housing and Community Affairs; three members appointed by the president of the Texas Association of Builders to represent the interests of builders and land developers; one member who is a representative of the Texas Conference of Urban Counties appointed by the executive director of that organization; one member who is a representative of the County Judges and Commissioners Association of Texas appointed by the president of that association; one member *who is a representative* of the Texas Water Development Board and is *appointed by the executive administrator of the board*; and one member who has expertise in matters affecting *colonias* appointed by the secretary of state to represent the interests of the state.

(b) Same as House version.

CONFERENCE

SECTION 1. Same as Senate version.

SECTION 2. Substantially the same as Senate version, except provides that the member of the task force who has expertise in matters affecting colonias is the secretary of state, as an ex officio member, or a designee of the secretary of state, rather than a member appointed by the secretary of state to represent the interests of the state.

*(The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.)*

(b) Substantially the same as House version.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 30, 2009**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB2275** by Raymond (Relating to creating a task force to develop uniform standards for subdivisions in the unincorporated areas of counties near the international border and in economically distressed counties.), **Conference Committee Report**

**No significant fiscal implication to the State is anticipated.**

The bill would amend statute and create a task force to research and identify the conflicts and deficiencies in current law regarding the regulation of subdivision development in the unincorporated areas of counties near the international border and in economically distressed counties. The task force must develop recommendations and draft a proposal for legislation to create uniform standards for subdivision regulation in these areas. The Texas Water Development Board would provide administrative support to the task force, including necessary staff and meeting facilities.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 302 Office of the Attorney General

**LBB Staff:** JOB, SD, CL, JM

## Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 2275 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.

Richard Peter Raymond  
(name)

5/29/09  
(date)