

## **BILL ANALYSIS**

H.B. 2295  
By: Thompson  
Urban Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Chapter 212 of the Local Government Code is entitled *Municipal Regulation of Subdivisions and Property Development*. It contains the fundamental statutes regarding the approval of subdivision plats, developer participation contracts, moratoriums, and other miscellaneous provisions. House Bill 2295 would address developer participation contracts for public improvements, as authorized by subchapter C of chapter 212. Under current law, cities with a population of 5,000 or more contract with developers for public improvements (excluding buildings) without a need to comply with bidding procedures. Participation by the city in these contracts may not exceed 30 percent of the total price. The developer is responsible for construction. H.B. 2295 would increase the permissible level of municipal participation to 70 percent.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 212.072(b), Local Government Code, to increase the level of allowable municipal participation in a developer contract for public improvements from 30 percent to 70 percent of the total contract price.

SECTION 2. Effective date.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.