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FISCAL IMPACT REPORT

SPONSOR: Rawson DATE TYPED: 02/26/03 HB _____
 SHORT TITLE: Extraterritorial Joint Powers Agreements SB 308
 ANALYST: Padilla

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
 Department of Finance and Administration
 Attorney General's Office

SUMMARY

Synopsis of Bill

Senate Bill 308 amends current statutes relating to municipal and county jurisdiction over subdivision and platting of land to within three or five miles of a city (depending on the population of the city). For cities with a population of under 199,999, the bill requires the use of a joint powers agreement in order to exercise concurrent jurisdiction. A JPA, once negotiated and approved by DFA, shall be binding on both parties. Without a JPA in place, county subdivision regulations shall apply. The bill does not change current statute for cities of over 200,000 people. Those cities shall continue to share approval authority over subdivision and platting of land within the county through an extraterritorial land use commission.

Significant Issues

DFA explains that currently, state law gives municipalities the authority to issue and enforce subdivision regulations, while counties address zoning issues. This bill would give subdivision authority to counties in the absence of a JPA that is mutually agreed upon by the municipality and the county. DFA notes that the bill, therefore, changes the balance of decision-making in favor of the county at the expense of the municipality.