

1-1 By: Hughes S.B. No. 1585
 1-2 (In the Senate - Filed March 11, 2021; March 24, 2021, read
 1-3 first time and referred to Committee on Natural Resources &
 1-4 Economic Development; April 19, 2021, reported adversely, with
 1-5 favorable Committee Substitute by the following vote: Yeas 6,
 1-6 Nays 2; April 19, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10		X		
1-11	X			
1-12	X			
1-13		X		
1-14	X			
1-15	X			
1-16			X	
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1585 By: Hughes

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to requirements for the designation of a property as a
 1-22 historic landmark and the inclusion of a property in a historic
 1-23 district by a municipality.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. The heading to Section 211.0165, Local
 1-26 Government Code, is amended to read as follows:

1-27 Sec. 211.0165. DESIGNATION OF HISTORIC LANDMARK OR
 1-28 DISTRICT.

1-29 SECTION 2. Section 211.0165, Local Government Code, is
 1-30 amended by amending Subsections (a), (b), and (c) and adding
 1-31 Subsection (a-1) to read as follows:

1-32 (a) Except as provided by Subsection (b), a municipality
 1-33 that has established a process for designating places or areas of
 1-34 historical, cultural, or architectural importance and significance
 1-35 through the adoption of zoning regulations or zoning district
 1-36 boundaries may not designate a property as a local historic
 1-37 landmark or include a property within the boundaries of a local
 1-38 historic district unless:

1-39 (1) the owner of the property consents to the
 1-40 designation or inclusion; or

1-41 (2) if the owner does not consent, the designation or
 1-42 inclusion of the owner's property is approved by a three-fourths
 1-43 vote of:

1-44 (A) the governing body of the municipality; and
 1-45 (B) the zoning, planning, or historical
 1-46 commission of the municipality, if any.

1-47 (a-1) If a municipality has more than one commission
 1-48 described by Subsection (a)(2)(B), the municipality shall
 1-49 designate one of those commissions as the entity with exclusive
 1-50 authority to approve the designations of properties as local
 1-51 historic landmarks and the inclusion of properties in a local
 1-52 historic district under that paragraph.

1-53 (b) If the property is owned by an organization that
 1-54 qualifies as a religious organization under Section 11.20, Tax
 1-55 Code, the municipality may designate the property as a local
 1-56 historic landmark or include the property in a local historic
 1-57 district only if the organization consents to the designation or
 1-58 inclusion.

1-59 (c) The municipality must provide the property owner a
 1-60 statement that describes the impact that a historic designation or

2-1 inclusion in a local historic district of the owner's property may
2-2 have on the owner and the owner's property. The municipality must
2-3 provide the statement to the owner not later than the 15th day
2-4 before the date of the initial hearing on the historic designation
2-5 or inclusion in a local historic district of the property of:

2-6 (1) the zoning, planning, or historical commission, if
2-7 any; or
2-8 (2) the governing body of the municipality.

2-9 SECTION 3. Section [211.0165](#), Local Government Code, as
2-10 amended by this Act, applies only to a proposal to include a
2-11 property in a historic district or to designate a property as a
2-12 local historic landmark made on or after the effective date of this
2-13 Act.

2-14 SECTION 4. This Act takes effect September 1, 2021.

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