

By: Huffman

S.B. No. 2147

A BILL TO BE ENTITLED

AN ACT

relating to the designation of a property as a historic landmark and the inclusion of a property in a historic district or similar preservation district by certain municipalities.

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

SECTION 1. Section 211.0165, Local Government Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) This subsection applies only to a property located in a municipality with a population of two million or more. Notwithstanding any other law, this subsection applies regardless of whether the municipality has established a process for designating places or areas of historical, cultural, or architectural importance and significance through the adoption of zoning regulations or zoning district boundaries. The owner of a property designated as a historic landmark or included within the boundaries of a local historic district or other historic preservation district authorized by ordinance may elect to exclude the property from the designation or district by filing in the real property records for the county in which the property is located an acknowledged statement:

(1) describing the property by reference to a map or plat of the subdivision; and

(2) stating that the owner elects to have the property excluded from the designation or district.

1 (g) A statement filed under Subsection (f) must be filed
2 before the first anniversary of the date of the designation as a
3 historic landmark or inclusion in a historic district or other
4 historic preservation district. The exclusion of a property from
5 designation or inclusion takes effect on the filing of the
6 statement by the owner of the property.

7 SECTION 2. Sections [211.0165](#)(f) and (g), Local Government
8 Code, as added by this Act, apply only to designation of a property
9 as a historic landmark or inclusion of a property within the
10 boundaries of a local historic district or other historic
11 preservation district authorized by ordinance after the effective
12 date of this Act.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section [39](#), Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2023.