

By: Reynolds

H.B. No. 5071

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of limits on the authority of political subdivisions to regulate the issuance of permits.

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

SECTION 1. Section 245.004, Local Government Code, is amended to read as follows:

Sec. 245.004. EXEMPTIONS. This chapter does not apply to:

(1) a permit that is ~~[at least two years old, is]~~ issued for the construction of a building or structure intended for human occupancy or habitation, and is issued under laws, ordinances, procedures, rules, or regulations adopting only:

(A) uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization; or

(B) local amendments to those codes enacted solely to address imminent threats of destruction of property or injury to persons;

(2) municipal zoning regulations that do not affect landscaping or tree preservation, open space or park dedication, property classification, lot size, lot dimensions, lot coverage, or building size or that do not change development permitted by a restrictive covenant required by a municipality;

(3) regulations that specifically control only the use of land in a municipality that does not have zoning and that do not

1 affect landscaping or tree preservation, open space or park  
2 dedication, lot size, lot dimensions, lot coverage, or building  
3 size;

4 (4) regulations for sexually oriented businesses;

5 (5) municipal or county ordinances, rules,  
6 regulations, or other requirements affecting colonias;

7 (6) fees imposed in conjunction with development  
8 permits;

9 (7) regulations for annexation that do not affect  
10 landscaping or tree preservation or open space or park dedication;

11 (8) regulations for utility connections;

12 (9) regulations to prevent imminent destruction of  
13 property or injury to persons from flooding that are effective only  
14 within a flood plain established by a federal flood control program  
15 and enacted to prevent the flooding of buildings intended for  
16 public occupancy;

17 (10) construction standards for public works located  
18 on public lands or easements; or

19 (11) regulations to prevent the imminent destruction  
20 of property or injury to persons if the regulations do not:

21 (A) affect landscaping or tree preservation,  
22 open space or park dedication, lot size, lot dimensions, lot  
23 coverage, building size, residential or commercial density, or the  
24 timing of a project; or

25 (B) change development permitted by a  
26 restrictive covenant required by a municipality.

27 SECTION 2. This Act takes effect September 1, 2025.