

BILL ANALYSIS

H.B. 2456
By: Chisum
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

On September 22, 2000, the federal Religious Land Use and Institutionalized Persons Act of 2000 was enacted to protect the exercise of religion in cases where state or local governments seek to impose or implement a zoning or landmark law that imposes a substantial burden on religious exercise. Some municipalities in Texas have denied religious organizations permits for certain religious assemblies because of zoning issues.

House Bill 2456 authorizes a municipality that permits the exercise of religion or organized religious worship in both residential and commercial zoning districts to enforce, with regard to certain property owned by a religious organization, only the least restrictive site development regulations applying to the least restrictive zoning district that allows organized religious worship.

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 110.003, Civil Practices and Remedies Code, as follows:
Authorizes a municipality that permits the exercise of religion or organized religious worship in both residential and commercial zoning districts to enforce, with regard to property located in the municipality that is owned by a religious organization, only the least restrictive site development zoning applying to the least restrictive zoning district that allows organized religious worship.

SECTION 2. Amends Section 211.003, Local Government Code, as follows:
Authorizes a municipality that permits the exercise of religion or organized religious worship in both residential and commercial zoning districts to enforce, with regard to property located in the municipality that is owned by a religious organization, only the least restrictive site development zoning applying to the least restrictive zoning district that allows organized religious worship.

SECTION 3. Effective date.

EFFECTIVE DATE

September 1, 2003.