

1-1 By: Armbrister S.B. No. 991
1-2 (In the Senate - Filed March 7, 2003; March 13, 2003, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 30, 2003, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 3, Nays 0;
1-6 April 30, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 991 By: Gallegos

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the application of certain municipal zoning regulations
1-11 affecting the appearance of buildings or open spaces.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 211, Local Government
1-14 Code, is amended by adding Section 211.016 to read as follows:

1-15 Sec. 211.016. ZONING REGULATION AFFECTING APPEARANCE OF
1-16 BUILDINGS OR OPEN SPACE. (a) This section applies only to a zoning
1-17 regulation that affects:

1-18 (1) the exterior appearance of a single-family house,
1-19 including the type and amount of building materials; or

1-20 (2) the landscaping of a single-family residential
1-21 lot, including the type and amount of plants or landscaping
1-22 materials.

1-23 (b) A zoning regulation adopted after the approval of a
1-24 residential subdivision plat does not apply to that subdivision
1-25 until the second anniversary of the later of:

1-26 (1) the date the plat was approved; or

1-27 (2) the date the municipality accepts the subdivision
1-28 improvements offered for public dedication.

1-29 (c) This section does not prevent a municipality from
1-30 adopting or enforcing applicable building codes or prohibiting the
1-31 use of building materials that have been proven to be inherently
1-32 dangerous.

1-33 SECTION 2. (a) This Act takes effect September 1, 2003.

1-34 (b) The change in law made by this Act applies only to a
1-35 residential subdivision plat approved by a municipality on or after
1-36 the effective date of this Act. A residential subdivision plat
1-37 approved by a municipality before the effective date of this Act is
1-38 governed by the law in effect when the plat was approved, and the
1-39 former law is continued in effect for that purpose.

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