

By: Chisum, Keel

H.B. No. 2097

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a home-rule municipality to prohibit public nuisances.

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

SECTION 1. Section 217.042(a), Local Government Code, is amended to read as follows:

(a) The municipality may define and prohibit any nuisance:

(1) within the limits of the municipality; and

(2) within 5,000 feet outside the limits, excluding any area that is:

(A) within 50 feet of a public waterway;

(B) located in a county that does not border the Gulf of Mexico; and

(C) not located in a county in which a park and recreation district has been created under Chapter 324, Local Government Code.

SECTION 2. This Act takes effect September 1, 2005.