

By: Armbrister

S.B. No. 1406

A BILL TO BE ENTITLED

AN ACT

relating to the manner in which a municipality may impose a moratorium on commercial property development.

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

SECTION 1. Section 212.131, Local Government Code, is amended by amending Subdivision (3) and adding Subdivision (4) to read as follows:

(3) "Property development" means the new construction of residential or commercial buildings on vacant land.

(4) "Commercial property" means property zoned for or otherwise authorized for commercial use but excluding industrial use.

SECTION 2. Section 212.132, Local Government Code, is amended to read as follows:

Sec. 212.132. APPLICABILITY. This subchapter applies only to a moratorium imposed on property development affecting only residential property, commercial property, or both residential and commercial property.

SECTION 3. (a) This Act applies to a moratorium adopted on or after the effective date of this Act.

(b) If a moratorium affecting commercial property was adopted by a municipality before the effective date of this Act and, under the terms of the moratorium, remains in effect later than the 120th day after the effective date of this Act, the municipality

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1 must comply with Section 212.136, Local Government Code, to
2 continue the moratorium in effect later than the 120th day after the
3 effective date of this Act.

4 SECTION 4. This Act takes effect September 1, 2005.