

By: Thompson, Riddle, Crabb

H.B. No. 2349

A BILL TO BE ENTITLED

AN ACT

relating to the procedural requirements for a political subdivision to adopt airport zoning regulations.

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

SECTION 1. Sections 211.015(c) and (f), Local Government Code, are amended to read as follows:

(c) The provisions [~~provision~~] of this chapter shall not be construed to prohibit the adoption or application of any charter provision of a home-rule municipality that requires a waiting period prior to the adoption of zoning regulations or the submission of the initial adoption of zoning regulations to a binding referendum election, or both, provided that all procedural requirements of this chapter for the adoption of the zoning regulation are otherwise complied with. This subsection does not apply to the adoption of airport zoning regulations under Chapter 241.

(f) The provisions of this section shall not authorize the repeal of:

(1) an ordinance approving land-use regulations adopted under the provisions of this chapter by a board of directors of a reinvestment zone under the authority of Section 311.010(c), Tax Code; or

(2) an ordinance approving airport zoning regulations adopted under Chapter 241.

1           SECTION 2. Section 241.017, Local Government Code, is  
2 amended by adding Subsection (d) to read as follows:

3           (d) A procedural requirement adopted or applied by a  
4 political subdivision, including any requirement in the charter of  
5 a home-rule municipality, that imposes a waiting period before the  
6 adoption of a zoning regulation or requires the submission of a  
7 zoning regulation to a binding referendum election does not apply  
8 to this chapter.

9           SECTION 3. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2007.