

By: Krusee

H.B. No. 3716

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the process of allowing a variance to be granted under
3 the Capitol view corridors law.

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

5 SECTION 1. Subchapter A, Chapter 3151, Government Code, is
6 amended by adding Section 3151.004 to read as follows:

7 Sec. 3151.004. VARIANCE. This chapter does not apply to a
8 project for which the governing body of a municipality affected by
9 this chapter, the General Land Office, and the Texas Historical
10 Commission authorize a variance from the terms of this chapter
11 after finding that:

12 (1) the variance is not contrary to the public
13 interest;

14 (2) due to special conditions, a literal enforcement
15 of this chapter would result in unnecessary hardship; and

16 (3) in granting the variance the spirit of this
17 chapter is observed and substantial justice is done.

18 SECTION 2. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2007.