

BILL ANALYSIS

C.S.H.B. 3065
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Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Vacant buildings currently present a problem not only to neighboring buildings but to the community as a whole. These structures can become breeding grounds for crime as well as urban blight. Cities need better information when dealing with these abandoned buildings.

C.S.H.B. 3065 authorizes a municipality with a population greater than 1.9 million to require the owner of a vacant building to register the building with a designated municipal official.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3065 amends the Local Government Code to set forth provisions for registration of vacant buildings in a municipality with a population greater than 1.9 million. The bill establishes that a building is presumed to be vacant under provisions for the registration of vacant buildings if all lawful residential, commercial, recreational, charitable, or construction activity at the building has ceased, or reasonably appears to have ceased, for more than 150 days, or if the building contains more than three units, 75 percent or more of which have not been used lawfully, or reasonably appear not to have been used lawfully, for more than 150 days.

C.S.H.B. 3065 authorizes a municipality by ordinance to require the owner of a vacant building to register the building by filing a completed registration form with a designated municipal official not later than the later of the 30th day after the date the building becomes vacant or the person becomes the owner of the building. The bill authorizes a municipality, in the ordinance, to exempt certain classifications of buildings as determined reasonable and appropriate by the governing body of the municipality. The bill authorizes the ordinance to provide that the registration expires automatically on the first anniversary of the date the owner filed the registration form, and must be renewed on or before the 30th day before the date the registration expires, unless the building is no longer vacant. The bill authorizes the ordinance to prohibit an owner from renewing the registration if a violation of an ordinance that resulted in the issuance of a citation has not been remedied in compliance with all applicable municipal ordinances or codes.

C.S.H.B. 3065 requires a designated municipal official to adopt a form for registration under provisions for registration of vacant buildings and sets out the permissible content of the form. The bill authorizes an ordinance to require an owner to insure a registered vacant building in an amount not less than \$250,000 for a building containing more than 2 but fewer than 20 units designed for habitation, or an amount not less than \$500,000 for any other building. The bill prohibits an ordinance from requiring the payment of a fee for a registration or renewal. The bill authorizes an ordinance to require an owner to supplement or amend a registration not later than the 30th day after the date the owner knows or reasonably should know that a statement on the

building's current registration form, or on any document submitted with the form, is incomplete or otherwise inaccurate.

C.S.H.B. 3065 defines "building," "owner," and "unit."

EFFECTIVE DATE

January 1, 2010.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3065 adds a provision not in the original making its provisions applicable only to a municipality with a population greater than 1.9 million.

C.S.H.B. 3065 authorizes the ordinance to prohibit an owner from renewing a registration if a violation of an ordinance that resulted in the issuance of a citation has not been remedied in compliance with all applicable municipal ordinances or codes, whereas the original authorizes such prohibition if a citation issued by the municipality relating to a condition of the building alleged by the municipality to constitute a violation of an ordinance, code, or other law has not been paid in full, dismissed, or otherwise legally resolved.

C.S.H.B. 3065 differs from the original by prohibiting an ordinance from, rather than authorizing an ordinance to, require the payment of a registration or renewal fee.

C.S.H.B. 3065 removes a provision in the original making it a Class C misdemeanor offense for an owner to violate an ordinance adopted under provisions for the registration of vacant buildings.