

By: Corte

H.B. No. 45

A BILL TO BE ENTITLED

AN ACT

relating to notice requirements for certain municipal zoning actions.

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

SECTION 1. Section 211.006(a), Local Government Code, is amended to read as follows:

(a) The governing body of a municipality wishing to exercise the authority relating to zoning regulations and zoning district boundaries shall establish procedures for adopting and enforcing the regulations and boundaries. A regulation or boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published:

(1) in an official newspaper or a newspaper of general circulation in the municipality; or

(2) on the municipality's official website.

SECTION 2. Sections 211.021(a) and (d), Local Government Code, are amended to read as follows:

(a) The governing body of a municipality with a population of more than 290,000 that has adopted a comprehensive zoning ordinance under Subchapter A may, by ordinance, divide the municipality into neighborhood zoning areas after a public hearing on the matter at which parties in interest and citizens have an

1 opportunity to be heard. Before the 15th day before the date of the
2 hearing, notice of the time and place of the hearing must be
3 published:

4 (1) in an official newspaper or a newspaper of general
5 circulation in the municipality; or

6 (2) on the municipality's official website.

7 (d) On the filing of a zoning change application with the
8 zoning commission, the zoning commission shall provide the
9 appropriate neighborhood advisory zoning council with a copy of the
10 application. The zoning council shall conduct a public hearing on
11 the application and before the 10th day before the date of the
12 hearing must publish notice of the time and place of the hearing:

13 (1) in an official newspaper or a newspaper of general
14 circulation in the municipality; or

15 (2) on the municipality's official website [~~before the~~
16 ~~10th day before the date of the hearing~~].

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2009.