

1 AN ACT

2 relating to municipal registration of vacant buildings in certain
3 counties.

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

5 SECTION 1. Chapter 214, Local Government Code, is amended
6 by adding Subchapter H to read as follows:

7 SUBCHAPTER H. REGISTRATION OF VACANT BUILDINGS

8 Sec. 214.231. DEFINITIONS. In this subchapter:

9 (1) "Building" means any enclosed structure designed
10 for use as a habitation or for a commercial use, including engaging
11 in trade or manufacture.

12 (2) "Owner" means the person that owns the real
13 property on which a building is situated, according to:

14 (A) the real property records of the county in
15 which the property is located; or

16 (B) the records of the appraisal district in
17 which the property is located.

18 (3) "Unit" means an enclosed area designed:

19 (A) for habitation by a single family; or

20 (B) for a commercial use, including engaging in
21 trade or manufacture, by a tenant.

22 Sec. 214.232. PRESUMPTION OF VACANCY. A building is
23 presumed to be vacant under this subchapter if:

24 (1) all lawful residential, commercial, recreational,

1 charitable, or construction activity at the building has ceased, or
2 reasonably appears to have ceased, for more than 150 days; or

3 (2) the building contains more than three units, 75
4 percent or more of which have not been used lawfully, or reasonably
5 appear not to have been used lawfully, for more than 150 days.

6 Sec. 214.233. REGISTRATION. (a) A municipality located in
7 a county with a population of 1.5 million or more may adopt an
8 ordinance requiring owners of vacant buildings to register their
9 buildings by filing a registration form with a designated municipal
10 official.

11 (b) A municipality, in an ordinance adopted under this
12 subchapter, may exempt certain classifications of buildings as
13 determined reasonable and appropriate by the governing body of the
14 municipality.

15 Sec. 214.234. FORM. An ordinance adopted under this
16 subchapter may require a designated municipal official to adopt a
17 form for registration. The form adopted may require the disclosure
18 of information reasonably necessary for the municipality to
19 minimize the threat to health, safety, and welfare that a vacant
20 building may present to the public.

21 SECTION 2. This Act takes effect January 1, 2010.

President of the Senate

Speaker of the House

I certify that H.B. No. 3065 was passed by the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3065 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3065 on May 31, 2009, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

Chief Clerk of the House

H.B. No. 3065

I certify that H.B. No. 3065 was passed by the Senate, with amendments, on May 26, 2009, by the following vote: Yeas 30, Nays 1; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3065 on May 31, 2009, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor