

By: Lucio

S.J.R. No. 40

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing a county to  
2 regulate land development if approved by a majority vote in a  
3 countywide election.

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

5 SECTION 1. Article IX, Texas Constitution, is amended by  
6 adding Section 15 to read as follows:

7 Sec. 15. (a) A county may exercise limited  
8 ordinance-making authority for the purpose of regulating land  
9 development in the unincorporated area of the county if that  
10 authority is approved by a majority vote of the qualified voters  
11 voting in an election called by the commissioners court of the  
12 county for that purpose.

13 (b) Regulations adopted under authority granted as provided  
14 by this section may include regulations relating to land use  
15 compatibility, public safety and fire hazards, land density, and  
16 use or conservation of water and other natural resources.

17 (c) The ballot proposition for an election held by a county  
18 under this section shall permit voting for or against the  
19 proposition: "Granting (name of county) the authority to regulate  
20 land development in the unincorporated area of the county."

21 (d) An election under this section shall be ordered and held  
22 as provided by general law.

23 SECTION 2. This proposed constitutional amendment shall be  
24 submitted to the voters at an election to be held November 8, 2011.

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1 The ballot shall be printed to provide for voting for or against the  
2 proposition: "The constitutional amendment authorizing a county to  
3 regulate land development if approved by a majority vote in a  
4 countywide election."