

By: Parker, et al.

H.B. No. 2319

Substitute the following for H.B. No. 2319:

By: Farrar

C.S.H.B. No. 2319

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality to regulate churches that provide overnight shelter for children.

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

SECTION 1. Subchapter A, Chapter 215, Local Government Code, is amended by adding Section 215.006 to read as follows:

Sec. 215.006. CHURCH PROVIDING OVERNIGHT SHELTER. (a) In this section:

(1) "Church" means a facility that is owned by a religious organization and that is used primarily for religious services.

(2) "Religious organization" means an organization that meets the standards for qualification as a religious organization under Section 11.20, Tax Code.

(b) A municipality may not adopt an ordinance, or enforce an existing ordinance, that prohibits a church from providing overnight shelter for children 17 years of age and younger.

(c) A municipal ordinance or regulation that relates to the safe and sanitary operation of a homeless shelter for children applies to a church that provides overnight shelter for children.

(d) A municipality may adopt or enforce an ordinance establishing limits on the number of nights a child may use an overnight shelter provided by a church or on the number of children that can be housed in the shelter per night.

1 SECTION 2. This Act takes effect September 1, 2013.