

By: Estes

S.B. No. 1466

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality to regulate state licensees.

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

SECTION 1. Chapter 229, Local Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. MUNICIPAL REGULATION OF STATE LICENSEES.

Sec. 229.101. DEFINITIONS. In this subchapter:

(1) "State licensee" means a person or entity that, under state law, in order to practice the person's occupation or conduct the entity's business in this state, is required to obtain a license, permit, registration certificate, or other evidence of authority from, and is subject to regulation by, a state licensing authority.

(2) "State licensing authority" means a state agency, department, board, or commission or the executive or administrative officer of a state agency, department, board, or commission.

Sec. 229.102. MUNICIPAL REGULATION OF STATE LICENSEES. (a) Notwithstanding any other state law, including Section 51.001, unless expressly authorized by state law, the governing body of a municipality may not adopt or enforce any ordinance, rule, or regulation that establishes requirements for, imposes restrictions on, or otherwise regulates the business activities of a state licensee within the municipality or the municipality's

1 extraterritorial jurisdiction.

2 (b) A municipal ordinance, rule, or regulation that violates  
3 this section is void and unenforceable.

4 SECTION 2. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2013.