

By: Buckingham

S.B. No. 12

A BILL TO BE ENTITLED

AN ACT

relating to limiting the applicability of municipal and county regulations affecting real property.

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

SECTION 1. Chapter 250, Local Government Code, is amended by adding Section 250.009 to read as follows:

Sec. 250.009. LIMITATION ON REGULATION OF REAL PROPERTY.

(a) This section applies only to a municipal or county prohibition or restriction on the use or development of real property that is not subject to Chapter 245, including prohibitions or restrictions exempt from that chapter under Section 245.004.

(b) A municipality or county may not enforce an ordinance, order, or other regulation adopted by the municipality or county, as applicable, that prohibits or restricts the use or development of real property that has been platted if the ordinance, order, or other regulation was not in effect on the date the owner of the property acquired title to the property.

(c) The limitation in Subsection (b) does not apply to a parcel of land for which the owner has filed with the county clerk of the county in which the land is located a written waiver of the limitation.

SECTION 2. This Act takes effect December 1, 2017.