

1-1 By: Hall S.B. No. 14
 1-2 (In the Senate - Filed July 10, 2017; July 20, 2017, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 July 24, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 3; July 24, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15		X		
1-16		X		
1-17		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 14 By: Campbell

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to a property owner's right to remove a tree or vegetation.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 240.909(b), Local Government Code, is
 1-24 amended to read as follows:

1-25 (b) Notwithstanding Section 250.009, the [The]
 1-26 commissioners court of a county subject to this section may
 1-27 prohibit or restrict the clear-cutting of live oak trees in the
 1-28 unincorporated area of the county.

1-29 SECTION 2. The heading to Chapter 250, Local Government
 1-30 Code, is amended to read as follows:

1-31 CHAPTER 250. MISCELLANEOUS LOCAL GOVERNMENT REGULATORY AUTHORITY
 1-32 [~~OF MUNICIPALITIES AND COUNTIES~~]

1-33 SECTION 3. Chapter 250, Local Government Code, is amended
 1-34 by adding Section 250.009 to read as follows:

1-35 Sec. 250.009. REMOVAL OF TREE OR VEGETATION. (a) Except
 1-36 as provided by Subsection (b) and Section 240.909, a municipality,
 1-37 county, or other political subdivision may not enact or enforce any
 1-38 ordinance, rule, or other regulation that restricts the ability of
 1-39 a property owner of residential real property to remove a tree or
 1-40 vegetation on the owner's property, including a regulation that
 1-41 requires the owner to file an affidavit or notice before removing
 1-42 the tree or vegetation.

1-43 (b) This section does not prevent the enforcement of:

1-44 (1) a provision in a dedicatory instrument, as defined
 1-45 by Section 202.001, Property Code, that restricts the ability of a
 1-46 property owner to remove a tree or vegetation on the owner's
 1-47 property, including a bylaw, rule, or regulation of a political
 1-48 subdivision enforcing a provision of a dedicatory instrument that
 1-49 requires the owner to file an affidavit or notice before removing
 1-50 the tree or vegetation; or

1-51 (2) an ordinance, rule, or other regulation designed
 1-52 to mitigate tree-borne diseases as recommended by the Texas A&M
 1-53 Forest Service.

1-54 SECTION 4. This Act takes effect December 1, 2017.

1-55 * * * * *