

By: Shaheen

H.B. No. 780

A BILL TO BE ENTITLED

AN ACT

1
2 relating to county and municipality zoning rules concerning the
3 cultivation, production, dispensing, or possession of low-THC
4 cannabis.

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

6 SECTION 1. Section 487.201, Health and Safety Code, is
7 amended to read as follows:

8 Sec. 487.201. COUNTY AND MUNICIPALITY ZONING RULES
9 CONCERNING [~~COUNTIES AND MUNICIPALITIES MAY NOT PROHIBIT~~] LOW-THC
10 CANNABIS. (a) Subject to Subsection (b), a municipality, county,
11 or other political subdivision may enact:

12 (1) reasonable zoning rules that limit the use of land
13 for dispensing organizations or the cultivation or production of
14 low-THC cannabis to specified areas; and

15 (2) ordinances, orders, or other rules that regulate
16 the time, place, and manner of dispensing organization operations.

17 (b) A municipality, county, or other political subdivision
18 may not enact, adopt, or enforce a rule, ordinance, order,
19 resolution, or other regulation that prohibits or has the effect of
20 prohibiting the cultivation, production, dispensing, or possession
21 of low-THC cannabis, as authorized by this chapter.

22 (c) A rule, ordinance, order, resolution, or other
23 regulation that violates this section is void and unenforceable.

24 SECTION 2. Section 487.201, Health and Safety Code, as

1 amended by this Act, applies to a rule, ordinance, order,
2 resolution, or other regulation adopted before, on, or after the
3 effective date of this Act.

4 SECTION 3. 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, 2017.