

BILL ANALYSIS

C.S.H.B. 2496
By: Cyrier
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the lack of clarity and requirements regarding a municipal designation of a property as a historic landmark without the property owner's consent. C.S.H.B. 2496 seeks to address these concerns by setting out circumstances under which certain municipalities may designate a property as a local historic landmark.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2496 amends the Local Government Code to prohibit a municipality that has established a process for designating places or areas of historical, cultural, or architectural importance and significance through the adoption of zoning regulations or zoning district boundaries from designating a property as a local historic landmark unless the owner of the property consents to the designation or the designation is approved by a three-fourths vote of the municipality's governing body and of the municipality's zoning, planning, or historical commission, if any. The bill requires the municipality to allow an owner to withdraw consent at any time during the designation process.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2496 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes as a circumstance under which an applicable municipality may designate a property as a local historic landmark the approval of the designation by a three-fourths vote of the municipality's governing body and of the municipality's zoning, planning, or historical commission, if any.

The substitute changes the bill's effective date.