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H.B. No. 2496

A BILL TO BE ENTITLED

AN ACT

relating to the designation of a property as a historic landmark by
a municipality.

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

SECTION 1. Subchapter A, Chapter 211, Local Government
Code, is amended by adding Section 211.0165 to read as follows:

Sec. 211.0165. DESIGNATION OF HISTORIC LANDMARK. (a)

Except as provided by Subsection (b), 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 may not designate a property as a local historic
landmark unless:

(1) the owner of the property consents to the
designation; or

(2) the designation is approved by a three-fourths
vote of:

(A) the governing body of the municipality; and

(B) the zoning, planning, or historical
commission of the municipality, if any.

(b) If the property is owned by an organization that
qualifies as a religious organization under Section 11.20, Tax
Code, the municipality may designate the property as a local
historic landmark only if the organization consents to the

1 designation.

2 (c) The municipality must provide the property owner a
3 statement that describes the impact that a historic designation of
4 the owner's property may have on the owner and the owner's property.
5 The municipality must provide the statement to the owner not later
6 than the 15th day before the date of the initial hearing on the
7 historic designation of the property of:

8 (1) the zoning, planning, or historical commission, if
9 any; or

10 (2) the governing body of the municipality.

11 (d) The historic designation impact statement must include
12 lists of the:

13 (1) regulations that may be applied to any structure
14 on the property after the designation;

15 (2) procedures for the designation;

16 (3) tax benefits that may be applied to the property
17 after the designation; and

18 (4) rehabilitation or repair programs that the
19 municipality offers for a property designated as historic.

20 (e) The municipality must allow an owner to withdraw consent
21 at any time during the designation process.

22 SECTION 2. Section 211.0165, Local Government Code, as
23 added by this Act, applies only to a designation of a property as a
24 historic landmark made on or after the effective date of this Act.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2019.