

1-1 By: Cyrier, et al. (Senate Sponsor - Buckingham) H.B. No. 2496  
 1-2 (In the Senate - Received from the House April 29, 2019;  
 1-3 April 29, 2019, read first time and referred to Committee on  
 1-4 Natural Resources & Economic Development; May 9, 2019, reported  
 1-5 favorably by the following vote: Yeas 9, Nays 2; May 9, 2019, sent  
 1-6 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	X			
1-19		X		

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to the designation of a property as a historic landmark by  
 1-23 a municipality.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-25 SECTION 1. Subchapter A, Chapter 211, Local Government  
 1-26 Code, is amended by adding Section 211.0165 to read as follows:

1-27 Sec. 211.0165. DESIGNATION OF HISTORIC LANDMARK. (a)  
 1-28 Except as provided by Subsection (b), a municipality that has  
 1-29 established a process for designating places or areas of  
 1-30 historical, cultural, or architectural importance and significance  
 1-31 through the adoption of zoning regulations or zoning district  
 1-32 boundaries may not designate a property as a local historic  
 1-33 landmark unless:

1-34 (1) the owner of the property consents to the  
 1-35 designation; or

1-36 (2) the designation is approved by a three-fourths  
 1-37 vote of:

1-38 (A) the governing body of the municipality; and  
 1-39 (B) the zoning, planning, or historical  
 1-40 commission of the municipality, if any.

1-41 (b) If the property is owned by an organization that  
 1-42 qualifies as a religious organization under Section 11.20, Tax  
 1-43 Code, the municipality may designate the property as a local  
 1-44 historic landmark only if the organization consents to the  
 1-45 designation.

1-46 (c) The municipality must provide the property owner a  
 1-47 statement that describes the impact that a historic designation of  
 1-48 the owner's property may have on the owner and the owner's property.  
 1-49 The municipality must provide the statement to the owner not later  
 1-50 than the 15th day before the date of the initial hearing on the  
 1-51 historic designation of the property of:

1-52 (1) the zoning, planning, or historical commission, if  
 1-53 any; or

1-54 (2) the governing body of the municipality.

1-55 (d) The historic designation impact statement must include  
 1-56 lists of the:

1-57 (1) regulations that may be applied to any structure  
 1-58 on the property after the designation;

1-59 (2) procedures for the designation;

1-60 (3) tax benefits that may be applied to the property  
 1-61 after the designation; and

2-1                   (4) rehabilitation or repair programs that the  
2-2 municipality offers for a property designated as historic.

2-3                   (e) The municipality must allow an owner to withdraw consent  
2-4 at any time during the designation process.

2-5                   SECTION 2. Section 211.0165, Local Government Code, as  
2-6 added by this Act, applies only to a designation of a property as a  
2-7 historic landmark made on or after the effective date of this Act.

2-8                   SECTION 3. This Act takes effect immediately if it receives  
2-9 a vote of two-thirds of all the members elected to each house, as  
2-10 provided by Section 39, Article III, Texas Constitution. If this  
2-11 Act does not receive the vote necessary for immediate effect, this  
2-12 Act takes effect September 1, 2019.

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