

By: Dominguez

H.B. No. 2566

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain counties to regulate litter and mosquito control.

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

SECTION 1. Subchapter Z, Chapter 240, Local Government Code, is amended by adding Section 240.910 to read as follows:

Sec. 240.910. REGULATION OF LITTER AND MOSQUITO CONTROL IN CERTAIN COUNTIES. (a) This section applies only to a county located on an international border and adjacent to the Gulf of Mexico.

(b) In this section:

(1) "Illegally dumped litter" means litter dumped anywhere other than in an approved solid waste site, as defined by Section 365.011, Health and Safety Code.

(2) "Litter" has the meaning assigned by Section 365.011, Health and Safety Code.

(c) In addition to the authority granted under Section 365.017, Health and Safety Code, the commissioners court of a county may adopt and enforce orders to:

(1) control the disposal of litter and the removal of illegally dumped litter from public or private property; and

(2) regulate the storage or abandonment of property, including tires and appliances, on public or private property that creates a nuisance or habitat conducive to mosquito breeding.

1 (d) An order adopted under this section:

2 (1) applies only to the unincorporated area of the
3 county;

4 (2) may require the record property owner to pay for
5 the cost of enforcing the order on the property owner's land if the
6 commissioners court gives the property owner 30 days' written
7 notice of the enforcement action; and

8 (3) may not regulate manufactured or industrialized
9 housing constructed to state or federal building standards in a
10 manner that is different from regulation of site-built housing.

11 (e) This section does not authorize the adoption of:

12 (1) zoning regulations not otherwise authorized under
13 Chapter 231; or

14 (2) building regulations not otherwise authorized
15 under Chapter 233.

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