

By: Zwiener

H.B. No. 4148

A BILL TO BE ENTITLED

AN ACT

relating to municipal regulation of outdoor lighting; creating a criminal offense.

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

SECTION 1. The heading to Subchapter B, Chapter 229, Local Government Code, is amended to read as follows:

SUBCHAPTER B. REGULATION OF OUTDOOR LIGHTING NEAR MAJOR ASTRONOMICAL OBSERVATORY

SECTION 2. Chapter 229, Local Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. GENERAL REGULATION OF OUTDOOR LIGHTING

Sec. 229.101. DEFINITION. In this subchapter, "outdoor lighting" has the meaning assigned by Section 240.031.

Sec. 229.102. REGULATION OF OUTDOOR LIGHTING. (a) The governing body of a municipality that has applied for or received International Dark Sky Community designation by ordinance may regulate the installation and use of outdoor lighting in the municipality and municipality's extraterritorial jurisdiction.

(b) A municipality may only regulate outdoor lighting constructed or renovated on or after the effective date of an ordinance adopted under Subsection (a).

Sec. 229.103. ENFORCEMENT; CRIMINAL PENALTY. (a) A municipality may sue in any court to enjoin a violation of an ordinance adopted under this subchapter.

1        (b) A person who violates an ordinance adopted under this  
2 subchapter commits an offense. An offense under this subsection is  
3 a Class C misdemeanor.

4        SECTION 3. This Act takes effect September 1, 2019.