

By: Hall, et al.
(White)

S.B. No. 86

Substitute the following for S.B. No. 86:

By: Burns

C.S.S.B. No. 86

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of raising or keeping chickens on single-family residential lots by a municipality.

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

SECTION 1. Chapter 217, Local Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. MISCELLANEOUS REGULATORY AUTHORITY

Sec. 217.051. SIX CHICKENS ALLOWED ON SINGLE-FAMILY RESIDENTIAL LOT. (a) Notwithstanding any other law and except as provided by Subsection (b), a municipality may not adopt or enforce an ordinance that prohibits the raising or keeping of six or fewer chickens on a single-family residential lot.

(b) A municipality may impose reasonable regulations on the raising or keeping of poultry on a single-family residential lot that do not have the effect of prohibiting the raising or keeping of six or fewer chickens, including:

(1) a limit on the number of chickens that may be raised or kept in excess of six;

(2) a prohibition on breeding poultry;

(3) a prohibition on raising or keeping roosters; or

(4) the minimum distance between a chicken coop and a residential structure.

(c) An ordinance adopted by a municipality that violates Subsection (a) is void.

1 SECTION 2. Subchapter D, Chapter 217, Local Government
2 Code, as added by this Act, applies to an ordinance adopted before,
3 on, or after the effective date of this Act.

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