

By: Zaffirini

S.B. No. 46

A BILL TO BE ENTITLED

AN ACT

relating to the municipal regulation of housing for homeless individuals provided by a religious organization.

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

SECTION 1. Chapter 229, Local Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. REGULATION OF HOUSING PROVIDED BY RELIGIOUS ORGANIZATIONS

Sec. 229.071. DEFINITIONS. In this subchapter:

(1) "Homeless individual" includes any individual in need of housing assistance.

(2) "Religious organization" has the meaning assigned by Section 464.051, Health and Safety Code.

Sec. 229.072. CERTAIN ZONING OR LAND USE REGULATIONS PROHIBITED. A municipal zoning or land use ordinance may not prohibit a religious organization from:

(1) using the religious organization's facility as housing for homeless individuals; or

(2) having housing units on the organization's property for homeless individuals.

Sec. 229.073. OTHER REGULATIONS PERMITTED. (a) A municipality may adopt or enforce an ordinance that imposes reasonable health and safety regulations on housing for homeless individuals provided on a religious organization's property.

1 (b) A municipality may require a religious organization
2 that provides housing for homeless individuals on the
3 organization's property to provide:

4 (1) electricity and heat for each housing unit; and

5 (2) at least one kitchen and bathroom on the property
6 that may be used by the individuals.

7 (c) For purposes of this section, "housing" does not include
8 temporary housing provided during a life-threatening emergency or
9 for natural disaster relief.

10 SECTION 2. This Act takes effect September 1, 2021.