

BILL ANALYSIS

Senate Research Center

H.B. 2239
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Local Government
5/15/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Certain cities in Texas are regulating the Ashe juniper tree as a heritage oak tree and fining residents for cutting them down. Texans should have the ability to remove Ashe juniper trees on their private property without fear of a fine for doing so. Moreover, the removal of these trees can help to protect our aquifers, allow for a greater variety of plant life to survive, and reduce cedar fever. H.B. 2239 seeks to protect against municipal overreach and ensure that Texans have this ability.

H.B. 2239 amends the Local Government Code to prohibit a municipality from prohibiting the removal of or imposing a tree mitigation fee for the removal of an Ashe juniper tree on private property.

H.B. 2239 amends current law relating to municipal regulation of the removal of an Ashe juniper tree.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 212.905(h), Local Government Code, as follows:

(h) Prohibits a municipality from prohibiting the removal of or imposing a tree mitigation fee for the removal of:

- (1)-(2) makes nonsubstantive changes to these subdivisions; or
- (3) an Ashe juniper tree located on a residential property.

Makes a nonsubstantive change.

SECTION 2. Effective date: September 1, 2023.