88R25344 KBB-F

By:  Cain, et al. H.B. No. 1191

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality or county to regulate the raising or keeping of chickens.

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

SECTION 1.  Chapter 250, Local Government Code, is amended by adding Section 250.014 to read as follows:

Sec. 250.014.  REGULATION OF CHICKENS. (a) Notwithstanding any other law and except as provided by Subsection (b), a municipality or county may not adopt or enforce an ordinance or order that prohibits an individual from raising or keeping six or fewer chickens.

(b)  A municipality may impose reasonable regulations on the raising or keeping of chickens 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 an individual may raise or keep in excess of six;

(2)  a prohibition on breeding chickens;

(3)  a prohibition on raising or keeping roosters;

(4)  a requirement that an individual only keep chickens in the rear yard of a residence;

(5)  a requirement that an individual provide fencing or shelter sufficient to contain chickens on the individual's property; or

(6)  a regulation related to the accumulation of animal waste that results in an offensive odor or attracts pests.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.