By:  Troxclair, et al. (Senate Sponsor - Flores) H.B. No. 2239

(In the Senate - Received from the House May 4, 2023; May 5, 2023, read first time and referred to Committee on Local Government; May 22, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 6, Nays 3; May 22, 2023, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Bettencourt       X

Springer          X

Eckhardt              X

Gutierrez             X

Hall              X

Nichols           X

Parker            X

Paxton            X

West                  X

COMMITTEE SUBSTITUTE FOR H.B. No. 2239 By:  Springer

A BILL TO BE ENTITLED

AN ACT

relating to municipal regulation of the removal of an Ashe juniper tree.

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

SECTION 1.  Section 212.905(h), Local Government Code, is amended to read as follows:

(h)  A municipality may not prohibit the removal of or impose a tree mitigation fee for the removal of [~~a tree that~~]:

(1)  a tree that is diseased or dead; [~~or~~]

(2)  a tree that poses an imminent or immediate threat to persons or property; or

(3)  an Ashe juniper tree that is:

(A)  located on a residential property that is not more than five acres with an existing one-family or two-family dwelling; and

(B)  removed by a resident of the dwelling or a person authorized by the resident.

SECTION 2.  This Act takes effect September 1, 2023.

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