

By: Cain, et al.

H.B. No. 1191

Substitute the following for H.B. No. 1191:

By: Cain

C.S.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

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

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