**BILL ANALYSIS**

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| Senate Research Center | C.S.S.B. 844 |
| 89R21380 SCL-F | By: Hughes |
|  | Local Government |
|  | 4/10/2025 |
|  | Committee Report (Substituted) |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 844 seeks to modernize Texas' valid petition process for zoning changes—a system originally established in 1927. While the process was intended to give nearby property owners a voice in zoning decisions, it has increasingly been used by small groups to delay or block developments that align with local plans and priorities. This misuse has led to stalled housing projects, increased costs for cities and developers, and fewer housing options for Texas families.

Under current law, if just 20 percent of property owners within 200 feet of a proposed zoning change protest, the city council must approve the change with a super majority vote. In practice, this gives outsized influence to a very small number of property owners—sometimes just one individual—allowing a vocal minority to override decisions that benefit the broader community. Combined with lawsuits that weaponize the law to halt updates to outdated zoning codes, this has limited the ability of cities to adapt to changing needs and has a chilling effect on developers trying to meet growing housing demand.

S.B. 844 offers a balanced reform. It protects the rights of property owners directly affected by zoning changes while reducing the ability of a single adjacent property owner to block new development. The bill maintains a clear and fair protest pathway for those most impacted, while raising the bar for adjacent opposition to better reflect broader public interests. This adjustment encourages meaningful participation without allowing small groups to derail projects that support Texas' population and economic expansion.

S.B. 844 returns decision-making authority to locally elected officials—those accountable to the communities they represent. Cities regularly decide major issues—like multi-million-dollar budgets, police contracts, and city management appointments—by simple majority vote. Zoning decisions should follow the same standard. With this reform, cities will be better equipped to modernize outdated zoning codes and expand access to housing of all types.

S.B. 844 is a smart, purpose-driven update to a nearly century-old law. It preserves property rights safeguards while helping cities respond to today's housing challenges. By reforming the valid petition process, the bill promotes a more balanced, efficient, and community-focused approach to zoning—one that supports opportunity and growth across Texas.

The committee substitute for S.B. 844 improves the bill by clearly distinguishing between comprehensive and non-comprehensive zoning changes. Comprehensive changes—broad, citywide zoning updates—are removed from the valid petition protest and only require general notice, saving taxpayer money currently spent on costly, unnecessary individual notices and allowing cities to update outdated zoning codes more effectively.

Non-comprehensive zoning changes, such as those involving individual properties, retain the existing valid petition framework. The committee substitute returns to the current 20 percent protest threshold for affected property owners—ensuring they can still trigger a super majority vote—while keeping the raised 60 percent for adjacent property owners. It also removes all enforcement language, reducing legal uncertainty and procedural burdens for cities.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 844 amends current law relating to procedures for changes to a zoning regulation or district boundary.

**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 Subchapter A, Chapter 211, Local Government Code, by adding Section 211.0011, as follows:

Sec. 211.0011. DEFINITION. Defines "proposed comprehensive zoning change.

SECTION 2. Amends Section 211.006(a), Local Government Code, as follows:

(a) Requires that the notice of the time and place of a public hearing on zoning regulations and zoning district boundaries, before the 15th day before the date of the hearing, be published in an official newspaper or a newspaper of general circulation in the municipality and, if the municipality maintains an Internet website, published on the municipality's Internet website.

SECTION 3. Amends Subchapter A, Chapter 211, Local Government Code, by adding Section 211.0061, as follows:

Sec. 211.0061. PROTEST PROCEDURES FOR CERTAIN PROPOSED CHANGES. (a) Provides that this section applies only to a proposed change to a zoning regulation or district boundary that is not a proposed comprehensive zoning change.

(b) Requires that a protest of a proposed change to a zoning regulation or district boundary be written and signed by the owners of:

(1) at least 20 percent of the area of the lots or land covered by the proposed change; or

(2) at least 60 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

(d) Requires that a proposed change to a regulation or district boundary, if the proposed change is protested in accordance with Subsection (b), receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body for a protest described by Subsection (b)(1) or a majority of all members of the governing body for a protest described by Subsection (b)(2).

SECTION 4. Transfers Section 211.006(e), Local Government Code, to Section 211.0061, Local Government Code, as added by this Act, redesignates it as Section 211.0061(c), Local Government Code, and amends it, as follows:

(c) Redesignates existing Subsection (e) as Subsection (c). Provides that, in computing the percent of land area under Subsection (b) (relating to requiring a general-law municipality that does not have a zoning commission to give notice of a proposed change in a zoning classification to each property owner who would be entitled to notice if the municipality had a zoning commission), rather than Subsection (d) (relating to requiring a proposed change to a regulation or boundary, if the proposed change is protested, to receive, in order to take effect, the affirmative vote of at least 20 percent of the areas of certain lots), the land area is not calculated individually for each tract of land subject to a proposed change in a zoning regulation or district boundary but in the aggregate for all tracts of land subject to the change. Makes nonsubstantive changes.

SECTION 5. Amends Subchapter A, Chapter 211, Local Government Code, by adding Sections 211.0063 and 211.0065, as follows:

Sec. 211.0063. NOTICE FOR PROPOSED COMPREHENSIVE ZONING CHANGES. Provides that the notice described by Section 211.006(a) or 211.007(d) (relating to authorizing the governing body of a home-rule municipality to prescribe the type of notice to be given of the time and place of a public hearing), as applicable, and Section 211.006(a-1) (relating to requiring the governing body of a municipality or zoning commission to provide written notice of each public hearing) is the only notice required for a proposed comprehensive zoning change.

Sec. 211.0065. PRESUMPTION OF VALIDITY FOR CERTAIN CHANGES TO ZONING REGULATIONS OR DISTRICT BOUNDARIES. Provides that a change to a zoning regulation or district boundary that has the effect of allowing more residential development than the previous regulation is conclusively presumed valid and to have occurred in accordance with all applicable statutes and ordinances if an action to annul or invalidate the change has not been filed before the 60th day after the effective date of the change.

SECTION 6. Repealers: Sections 211.006(d) (relating to requiring a proposed change to a regulation or boundary, if the proposed change is protested, to receive, in order to take effect, the affirmative vote of at least 20 percent of the areas of certain lots) and (f) (relating to authorizing the governing body to provide that the affirmative vote of at least three-fourths of its members is required to overrule a recommendation), Local Government Code.

SECTION 7. Makes application of this Act prospective.

SECTION 8. Effective date: September 1, 2025.