

BILL ANALYSIS

C.S.H.B. 3641
By: Bell, Cecil
Intergovernmental Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that counties have expressed concern and frustration over their inability to regulate noise violations coming from residential areas in unincorporated areas outside of municipal enforcement, which limits their ability to promote public health, safety, and welfare of these residential areas. C.S.H.B. 3641 seeks to address this issue by authorizing the commissioners court of a county to regulate noise levels in residential areas located in the unincorporated area of the county.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3641 amends the Local Government Code to authorize the commissioners court of a county to regulate by order the level of noise emanating from a residence or a tract of land located in a residential area in the unincorporated area of the county, in order to promote public health, safety, and welfare. The bill clarifies that this authorization does not authorize a county commissioners court to regulate the use of fireworks.

C.S.H.B. 3641 creates a Class C misdemeanor offense for a person who violates a noise regulation order adopted under the bill's provisions on two or more occasions.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 3641 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Both the introduced and the substitute authorize the commissioners court of a county to regulate by order the level of noise emanating from a residence located in a residential area in the unincorporated area of the county, in order to promote public health, safety, and welfare. However, the substitute includes a provision not in the introduced authorizing the county commissioners court to also regulate by order the level of noise emanating from a tract of land in the unincorporated area of the county for such reasons.