

AN ACT

relating to the imposition by a municipality of a moratorium on property development in certain circumstances.

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

SECTION 1. Sections 212.134(b), (c), and (f), Local Government Code, are amended to read as follows:

(b) A public hearing must provide municipal residents and affected parties an opportunity to be heard. The municipality shall, not later than the 30th day before the date of a hearing:

(1) ~~[must]~~ publish notice of the time and place of the ~~[a]~~ hearing in a newspaper of general circulation in the municipality; and

(2) send notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary requesting notice of the hearing within two years preceding the date of adoption of the ordinance or resolution setting the public hearing ~~[on the fourth day before the date of the hearing]~~.

(c) The governing body of a municipality shall hold two public hearings on a moratorium on property development proposed to be adopted under this subchapter. The governing body may not hold the second public hearing before the 30th day after the date of the first public hearing ~~[Beginning on the fifth business day after the date a notice is published under Subsection (b), a temporary~~

~~moratorium takes effect. During the period of the temporary moratorium, a municipality may stop accepting permits, authorizations, and approvals necessary for the subdivision of, site planning of, or construction on real property].~~

(f) Not later than the 12th day ~~[Within 12 days]~~ after the date of the second ~~[first]~~ public hearing, the governing body of the municipality shall begin ~~[make]~~ a final determination on the imposition of a moratorium by giving the ordinance imposing the moratorium at least two readings that are not less than 28 days apart. The ordinance must receive the affirmative vote of at least three-fourths of all members of the governing body on final reading in order to take effect. ~~[Before an ordinance adopting a moratorium may be imposed, the ordinance must be given at least two readings by the governing body of the municipality. The readings must be separated by at least four days.]~~ If the governing body ~~[municipality]~~ fails to adopt an ordinance imposing a moratorium within the period prescribed by this subsection, the municipality may not adopt the ~~[an]~~ ordinance ~~[imposing a moratorium may not be adopted, and the temporary moratorium imposed under Subsection (c) expires].~~

SECTION 2. Section [212.1362](#), Local Government Code, is amended to read as follows:

Sec. 212.1362. EXPIRATION OF MORATORIUM ~~[ON COMMERCIAL PROPERTY IN CERTAIN CIRCUMSTANCES]~~; EXTENSION. (a) A moratorium ~~[on commercial property]~~ adopted under this subchapter ~~[Section [212.1352](#)]~~ expires on the 90th day after the date the moratorium is adopted unless the governing body of the municipality extends the

1 moratorium by:

2 (1) holding a public hearing on the proposed extension  
3 of the moratorium; and

4 (2) adopting written findings that:

5 (A) identify the problem requiring the need for  
6 extending the moratorium;

7 (B) describe the reasonable progress made to  
8 alleviate the problem;

9 (C) specify a definite duration for the renewal  
10 period of the moratorium; and

11 (D) include a summary of evidence demonstrating  
12 that the problem will be resolved within the extended duration of  
13 the moratorium.

14 (b) A municipality may not adopt a moratorium [~~on commercial~~  
15 ~~property~~] under this subchapter:

16 (1) [~~Section 212.1352~~] that exceeds an aggregate of  
17 180 days; or

18 (2) [~~. A municipality may not adopt a moratorium on~~  
19 ~~commercial property under Section 212.1352~~] before the second  
20 anniversary of the expiration date of a previous moratorium if the  
21 subsequent moratorium addresses the same harm, affects the same  
22 type of [~~commercial~~] property, or affects the same geographical  
23 area identified by the previous moratorium.

24 SECTION 3. The following provisions of the Local Government  
25 Code are repealed:

26 (1) Sections 212.134(d) and (e); and

27 (2) Section 212.136.

1       SECTION 4.   This Act takes effect September 1, 2025.

H.B. No. 2559

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2559 was passed by the House on April 29, 2025, by the following vote: Yeas 127, Nays 17, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2559 was passed by the Senate on May 19, 2025, by the following vote: Yeas 26, Nays 5.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor