

1-1 By: Patterson, et al. H.B. No. 2559  
1-2 (Senate Sponsor - Bettencourt)  
1-3 (In the Senate - Received from the House April 29, 2025;  
1-4 April 30, 2025, read first time and referred to Committee on Local  
1-5 Government; May 6, 2025, reported favorably by the following vote:  
1-6 Yeas 6, Nays 1; May 6, 2025, sent to printer.)

1-7 COMMITTEE VOTE

|                 | Yea | Nay | Absent | PNV |
|-----------------|-----|-----|--------|-----|
| 1-8 Bettencourt | X   |     |        |     |
| 1-9 Middleton   | X   |     |        |     |
| 1-10 Cook       |     | X   |        |     |
| 1-11 Gutierrez  | X   |     |        |     |
| 1-12 Nichols    | X   |     |        |     |
| 1-13 Paxton     | X   |     |        |     |
| 1-14 West       | X   |     |        |     |

1-16 A BILL TO BE ENTITLED  
1-17 AN ACT

1-18 relating to the imposition by a municipality of a moratorium on  
1-19 property development in certain circumstances.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Sections 212.134(b), (c), and (f), Local  
1-22 Government Code, are amended to read as follows:

1-23 (b) A public hearing must provide municipal residents and  
1-24 affected parties an opportunity to be heard. The municipality  
1-25 shall, not later than the 30th day before the date of a hearing:

1-26 (1) ~~[must]~~ publish notice of the time and place of the  
1-27 ~~[a]~~ hearing in a newspaper of general circulation in the  
1-28 municipality; and

1-29 (2) send notice of the hearing by certified mail to any  
1-30 person who has given written notice by certified or registered mail  
1-31 to the municipal secretary requesting notice of the hearing within  
1-32 two years preceding the date of adoption of the ordinance or  
1-33 resolution setting the public hearing ~~[on the fourth day before the~~  
1-34 ~~date of the hearing]~~.

1-35 (c) The governing body of a municipality shall hold two  
1-36 public hearings on a moratorium on property development proposed to  
1-37 be adopted under this subchapter. The governing body may not hold  
1-38 the second public hearing before the 30th day after the date of the  
1-39 first public hearing ~~[Beginning on the fifth business day after the~~  
1-40 ~~date a notice is published under Subsection (b), a temporary~~  
1-41 ~~moratorium takes effect. During the period of the temporary~~  
1-42 ~~moratorium, a municipality may stop accepting permits,~~  
1-43 ~~authorizations, and approvals necessary for the subdivision of,~~  
1-44 ~~site planning of, or construction on real property]~~.

1-45 (f) Not later than the 12th day ~~[Within 12 days]~~ after the  
1-46 date of the second ~~[first]~~ public hearing, the governing body of the  
1-47 municipality shall begin ~~[make]~~ a final determination on the  
1-48 imposition of a moratorium by giving the ordinance imposing the  
1-49 moratorium at least two readings that are not less than 28 days  
1-50 apart. The ordinance must receive the affirmative vote of at least  
1-51 three-fourths of all members of the governing body on final reading  
1-52 in order to take effect. ~~[Before an ordinance adopting a moratorium~~  
1-53 ~~may be imposed, the ordinance must be given at least two readings by~~  
1-54 ~~the governing body of the municipality. The readings must be~~  
1-55 ~~separated by at least four days.]~~ If the governing body  
1-56 ~~[municipality]~~ fails to adopt an ordinance imposing a moratorium  
1-57 within the period prescribed by this subsection, the municipality  
1-58 may not adopt the ~~[an]~~ ordinance ~~[imposing a moratorium may not be~~  
1-59 ~~adopted, and the temporary moratorium imposed under Subsection (c)~~  
1-60 ~~expires]~~.

1-61 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 moratorium by:

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

(2) adopting written findings that:

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

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

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

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

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

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

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

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

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

(2) Section 212.136.

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

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