

AN ACT

relating to the construction of structures exceeding a certain height in certain counties containing national wildlife refuges and in adjacent counties.

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

SECTION 1. Subchapter A, Chapter 12, Parks and Wildlife Code, is amended by adding Section 12.023 to read as follows:

Sec. 12.023. NOTICE OF CONSTRUCTION OF CERTAIN STRUCTURES.

(a) This section applies only in a county with a population of less than 500,000 that:

(1) borders the Gulf of Mexico and in which a national wildlife refuge is wholly or partly located; or

(2) does not contain a municipality with a population greater than 300,000 and is adjacent to a county described by Subdivision (1).

(b) Not later than the 90th day before the date a person begins construction of a structure taller than 575 feet, the person shall submit to the department a request for the department to review the project under Section 12.0011(b)(3).

(c) Not later than the 45th day after the date the department receives a request under Subsection (b), the department shall recommend in writing measures to minimize the impact of the structure on migratory birds.

(d) If the department does not provide recommendations

1 under Subsection (c) to the person who requested review within the  
2 period required by that subsection, the construction of the project  
3 may proceed without further delay or modification.

4 (e) Not later than the 45th day after the date the person who  
5 requested review receives the recommendations under Subsection  
6 (c), the person shall provide a written response to the department  
7 accepting the recommendations or providing alternative  
8 minimization measures in place of department recommendations.

9 (f) If the department does not agree to the alternative  
10 minimization measures received under Subsection (e), the  
11 department shall reach a final decision on the minimization  
12 measures the structure must utilize not later than the 45th day  
13 after the date the department received the alternative minimization  
14 measures. If the department requires compliance with minimization  
15 measures other than those agreed to by the person who requested  
16 review, the person is entitled to an administrative hearing before  
17 the State Office of Administrative Hearings.

18 (g) The commission may adopt rules to implement this  
19 section.

20 (h) Information submitted to the department under this  
21 section is not subject to Chapter 552, Government Code.

22 SECTION 2. Section 12.023, Parks and Wildlife Code, as  
23 added by this Act, applies only to a person who begins construction  
24 of a structure on or after the 90th day after the effective date of  
25 this Act.

26 SECTION 3. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2025.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3556 was passed by the House on May 7, 2025, by the following vote: Yeas 96, Nays 49, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3556 on May 29, 2025, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3556 on May 31, 2025, by the following vote: Yeas 99, Nays 12, 2 present, not voting.

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Chief Clerk of the House

H.B. No. 3556

I certify that H.B. No. 3556 was passed by the Senate, with amendments, on May 26, 2025, by the following vote: Yeas 22, Nays 9; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3556 on May 31, 2025, by the following vote: Yeas 22, Nays 9.

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Secretary of the Senate

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

Date

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Governor