

By: Troxclair, Tepper, Harris, Virdell,
Morales of Maverick, et al.

H.B. No. 3798

Substitute the following for H.B. No. 3798:

By: Gates

C.S.H.B. No. 3798

A BILL TO BE ENTITLED

AN ACT

relating to municipal regulation of the removal of an Ashe juniper
tree.

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

SECTION 1. Section 212.905, Local Government Code, is
amended by amending Subsection (h) and adding Subsection (h-1) to
read as follows:

(h) A municipality may not prohibit the removal of or impose
a tree mitigation fee for the removal of ~~[a tree that]~~:

(1) a tree that is diseased or dead; ~~[or]~~

(2) a tree that poses an imminent or immediate threat
to persons or property; or

(3) except as provided by Subsection (h-1), an Ashe
juniper tree located on a residential property.

(h-1) Subsection (h) (3) does not apply to an area located:

(1) within 15 miles of the boundary of a military base,
as defined by Section 43.0117, at which an active training program
is conducted; and

(2) in a county with a population of more than two
million.

SECTION 2. This Act takes effect September 1, 2025.