

By: Vasut

H.B. No. 4866

A BILL TO BE ENTITLED

AN ACT

relating to the review, adoption, and modification of land development regulations by certain counties and municipalities.

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

SECTION 1. Subtitle C, Title 7, Local Government Code, is amended by adding Chapter 248 to read as follows:

CHAPTER 248. REVIEW, ADOPTION, AND MODIFICATION OF LAND DEVELOPMENT REGULATIONS

Sec. 248.001. DEFINITIONS. In this chapter:

(1) "Land development regulation" means an ordinance, order, rule, or other regulation or standard of a political subdivision that regulates:

(A) zoning;

(B) subdivision requirements;

(C) development review and planning requirements;

(D) commercial, residential, and multifamily building and construction codes;

(E) fire, electric, heating, plumbing, energy conservation, water, and flooding codes;

(F) development license, permit, and application fees; or

(G) any other related aspect of land development as determined by the political subdivision.

1           (2) "Political subdivision" means a:

2                   (A) county; or

3                   (B) municipality.

4           Sec. 248.002. APPLICABILITY. This chapter applies only to:

5                   (1) a county with a population of 500,000 or more; or

6                   (2) a municipality with a population of 200,000 or more.

7           Sec. 248.003. REVIEW OF EXISTING LAND DEVELOPMENT

8 REGULATIONS. (a) The governing body of a political subdivision

9 shall review the costs, benefits, and risks of the existing land

10 development regulations of the political subdivision.

11           (b) The governing body shall review each existing land

12 development regulation at least once every 10 years.

13           (c) A review of a land development regulation under this

14 section must consider:

15                   (1) the regulation's impact on housing development;

16                   (2) whether the regulation remains appropriate and  
17 benefits landowners, residents, or the public;

18                   (3) whether the regulation impedes the use of  
19 technologies and techniques that conserve energy or water;

20                   (4) the benefits of the regulation for affected  
21 parties;

22                   (5) the extent to which landowners, residents, or the  
23 public incur costs as a result of the regulation;

24                   (6) the effect on persons regulated under the  
25 regulation; and

26                   (7) the administrative or enforcement costs for the  
27 regulation that are paid by taxpayers.

1       (d) In reviewing a land development regulation under this  
2 section, the governing body of the political subdivision shall hold  
3 at least one public hearing and provide an opportunity for public  
4 comment.

5       (e) On completing a review of a land development regulation  
6 under this section, the governing body of the political subdivision  
7 shall repeal, amend, or readopt the regulation. The governing body  
8 shall repeal or amend a regulation that interferes with the  
9 production of new housing or development related to existing  
10 housing.

11       Sec. 248.004. IMPACT STATEMENT FOR AND AUTHORITY TO ADOPT  
12 OR MODIFY PROPOSED LAND DEVELOPMENT REGULATIONS. (a) Before the  
13 governing body of a political subdivision may adopt or modify a land  
14 development regulation, the governing body shall analyze the costs,  
15 benefits, and risks of the proposed regulation and issue an impact  
16 statement.

17       (b) An impact statement required by Subsection (a) must  
18 include:

19               (1) an analysis of the fiscal impact of the proposed  
20 land development regulation;

21               (2) a determination of whether the proposed land  
22 development regulation provides benefits to the health and welfare  
23 of the residents of the political subdivision that adopted or  
24 modified the regulation that outweigh any costs found by the  
25 analysis required by Subdivision (1); and

26               (3) the proposed land development regulation's impact  
27 on housing costs in the political subdivision.

1        (c) A political subdivision may adopt or modify a proposed  
2 land development regulation only if the political subdivision  
3 determines that the regulation:

4            (1) is consistent with the political subdivision's  
5 public health and safety priorities;

6            (2) has a minimal fiscal impact; and

7            (3) positively impacts or does not adversely impact  
8 housing costs for residents of the political subdivision.

9        (d) A political subdivision shall make an impact statement  
10 required by Subsection (a) available for review by the public.

11        SECTION 2. Not later than September 1, 2030, the governing  
12 body of each municipality, county, and special purpose district  
13 shall conduct an initial review of each land development regulation  
14 under Section 248.003, Local Government Code, as added by this Act.

15        SECTION 3. This Act takes effect September 1, 2025.