

By: Zaffirini

S.B. No. 2593

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of a county that borders the United  
3 Mexican States to regulate residential land use; creating a  
4 criminal offense.

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

6 SECTION 1. Chapter 231, Local Government Code, is amended  
7 by adding Subchapter N to read as follows:

8 SUBCHAPTER N. ZONING ON BORDER WITH UNITED MEXICAN STATES

9 Sec. 231.301. LEGISLATIVE FINDINGS; PURPOSE. (a) The  
10 legislature finds that the counties that border the United Mexican  
11 States face unique challenges because of their geographic location  
12 and population dynamics.

13 (b) The powers granted under this subchapter are for the  
14 purpose of promoting orderly development, protecting public health  
15 and safety, and enhancing quality of life.

16 Sec. 231.302. APPLICABILITY. This subchapter applies only  
17 to a county that borders the United Mexican States.

18 Sec. 231.303. AREAS SUBJECT TO REGULATION. An order  
19 adopted under this subchapter applies only to an area that:

20 (1) is in the unincorporated area of a county; and

21 (2) is located either in:

22 (A) a platted residential subdivision; or

23 (B) a tract subject to Subchapter B, Chapter 232.

24 Sec. 231.304. ZONING REGULATIONS GENERALLY. The

1 commissioners court of a county by order may adopt zoning  
2 regulations that regulate:

3 (1) the size or height of a building;

4 (2) the percentage of a lot that may be occupied or  
5 developed;

6 (3) the number of dwelling units per acre;

7 (4) the size of a setback or open space;

8 (5) the location, design, construction, extension,  
9 size, and installation of utilities, roads, and other essential  
10 services; and

11 (6) the type of land use permitted.

12 Sec. 231.305. DISTRICTS. (a) The commissioners court of a  
13 county by order may divide the county into districts of a number,  
14 shape, and size the court considers best for carrying out this  
15 subchapter.

16 (b) The commissioners court of a county may adopt zoning  
17 regulations that vary from district to district.

18 Sec. 231.306. PROCEDURE GOVERNING ADOPTION OF REGULATIONS.

19 (a) The commissioners court of a county may not adopt an order  
20 under this subchapter until after a public hearing is held where the  
21 public is given the opportunity to be heard on the question of  
22 adopting the order. Before the 15th day before the date of the  
23 hearing, the commissioners court must publish notice of the hearing  
24 in a newspaper of general circulation in the county.

25 (b) The commissioners court of a county may adopt or amend a  
26 regulation or boundary under this subchapter only by an order  
27 passed by a majority vote of the full membership of the court.

1        (c) If a proposed change to a regulation or boundary is  
2 protested in accordance with this subsection, the proposed change  
3 must receive, in order to take effect, the affirmative vote of at  
4 least three-fourths of all members of the commissioners court  
5 proposing the change. The protest must be written and signed by the  
6 owners of at least 20 percent of the area covered by the proposed  
7 change.

8        Sec. 231.307. ENFORCEMENT; PENALTY. (a) The commissioners  
9 court of a county by order may provide for the enforcement of this  
10 subchapter or an order or regulation adopted under this subchapter.

11        (b) A person commits an offense if the person violates this  
12 subchapter or an order or regulation adopted under this subchapter.  
13 An offense under this subsection is a misdemeanor punishable by a  
14 fine of not less than \$500 or more than \$1,000. Each day that a  
15 violation occurs constitutes a separate offense. Trial shall be in  
16 the justice court.

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