

SENATE AMENDMENTS
2nd Printing

By: Orr, Hickland, Vasut, Lopez of Bexar, H.B. No. 24
Lalani, et al.

A BILL TO BE ENTITLED

AN ACT

relating to procedures for changes to a zoning regulation or district boundary.

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

SECTION 1. Subchapter A, Chapter 211, Local Government Code, is amended by adding Section 211.0011 to read as follows:

Sec. 211.0011. DEFINITION. In this subchapter, "proposed comprehensive zoning change" means a municipal proposal to:

(1) change an existing zoning regulation that:

(A) will have the effect of allowing more residential development than the previous regulation; and

(B) will apply uniformly to each parcel in one or more zoning districts;

(2) adopt a new zoning code or zoning map that will apply to the entire municipality; or

(3) adopt a zoning overlay district that:

(A) will have the effect of allowing more residential development than allowed without the overlay; and

(B) will include an area along a major roadway, highway, or transit corridor.

SECTION 2. Section 211.006(a), Local Government Code, is amended to read as follows:

(a) The governing body of a municipality wishing to exercise the authority relating to zoning regulations and zoning district

1 boundaries shall establish procedures for adopting and enforcing
2 the regulations and boundaries. A regulation or boundary is not
3 effective until after a public hearing on the matter at which
4 parties in interest and citizens have an opportunity to be
5 heard. Before the 15th day before the date of the hearing, notice
6 of the time and place of the hearing must be:

7 (1) published in an official newspaper or a newspaper
8 of general circulation in the municipality; and

9 (2) if the municipality maintains an Internet website,
10 published on the municipality's Internet website.

11 SECTION 3. Subchapter A, Chapter 211, Local Government
12 Code, is amended by adding Section 211.0061 to read as follows:

13 Sec. 211.0061. PROTEST PROCEDURES FOR CERTAIN PROPOSED
14 CHANGES. (a) This section applies only to a proposed change to a
15 zoning regulation or district boundary that is not a proposed
16 comprehensive zoning change.

17 (b) A protest of a proposed change to a zoning regulation or
18 district boundary must be written and signed by the owners of:

19 (1) at least 20 percent of the area of the lots or land
20 covered by the proposed change; or

21 (2) at least 60 percent of the area of the lots or land
22 immediately adjoining the area covered by the proposed change and
23 extending 200 feet from that area.

24 (d) If a proposed change to a regulation or district
25 boundary is protested in accordance with Subsection (b), the
26 proposed change must receive, in order to take effect, the
27 affirmative vote of at least:

1 (1) three-fourths of all members of the governing body
2 for a protest described by Subsection (b)(1); or

3 (2) a majority of all members of the governing body for
4 a protest described by Subsection (b)(2).

5 SECTION 4. Section 211.006(e), Local Government Code, is
6 transferred to Section 211.0061, Local Government Code, as added by
7 this Act, redesignated as Section 211.0061(c), Local Government
8 Code, and amended to read as follows:

9 (c) [(e)] In computing the percentage of land area under
10 Subsection (b):

11 (1) [(d)], the area of streets and alleys shall be
12 included; and

13 (2) the land area is not calculated individually for
14 each tract of land subject to a proposed change in a zoning
15 regulation or district boundary but in the aggregate for all tracts
16 of land subject to the change.

17 SECTION 5. Subchapter A, Chapter 211, Local Government
18 Code, is amended by adding Sections 211.0063 and 211.0065 to read as
19 follows:

20 Sec. 211.0063. NOTICE FOR PROPOSED COMPREHENSIVE ZONING
21 CHANGES. The notice described by Section 211.006(a) or 211.007(d),
22 as applicable, and Section 211.006(a-1) is the only notice required
23 for a proposed comprehensive zoning change.

24 Sec. 211.0065. PRESUMPTION OF VALIDITY FOR CERTAIN CHANGES
25 TO ZONING REGULATIONS OR DISTRICT BOUNDARIES. A change to a zoning
26 regulation or district boundary that has the effect of allowing
27 more residential development than the previous regulation is

1 conclusively presumed valid and to have occurred in accordance with
2 all applicable statutes and ordinances if an action to annul or
3 invalidate the change has not been filed before the 60th day after
4 the effective date of the change.

5 SECTION 6. Subchapter A, Chapter 211, Local Government
6 Code, is amended by adding Section 211.0073 to read as follows:

7 Sec. 211.0073. NOTICE SIGN REQUIREMENT FOR CERTAIN ZONING
8 CHANGES IN HOME-RULE MUNICIPALITIES. (a) Not later than the 10th
9 day before the date the zoning commission of a home-rule
10 municipality holds a hearing on a proposed change in zoning
11 classification that does not apply to the whole municipality and
12 until the date of a final determination on the proposed change by
13 the governing body of the municipality, the zoning commission shall
14 post a notice sign in accordance with this section on:

15 (1) the property affected by the change; or

16 (2) a public right-of-way for a change initiated by
17 the municipality that affects multiple properties.

18 (b) The notice sign must be at least 24 inches long by 48
19 inches wide.

20 (c) The zoning commission may elect to provide, maintain,
21 and pay for a notice sign under this section or require an applicant
22 for a change in zoning classification to provide, maintain, and pay
23 for the sign.

24 (d) Notice requirements prescribed under this section are
25 in addition to notice required by Section 211.007.

26 SECTION 7. Sections 211.006(d) and (f), Local Government
27 Code, are repealed.

H.B. No. 24

1 SECTION 8. The changes in law made by this Act apply only to
2 a proposal to change a municipal zoning regulation or district
3 boundary made on or after the effective date of this Act.

4 SECTION 9. This Act takes effect September 1, 2025.

ADOPTED

MAY 25 2025

Lately Spaw
Secretary of the Senate

By: *Ryan Hyler*

H.B. No. 24

Substitute the following for H.B. No. 24:

By: *John P. ...*

C.S. H.B. No. 24

A BILL TO BE ENTITLED

1 AN ACT

2 relating to procedures for changes to a zoning regulation or
3 district boundary.

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

5 SECTION 1. Subchapter A, Chapter 211, Local Government
6 Code, is amended by adding Section 211.0011 to read as follows:

7 Sec. 211.0011. DEFINITION. In this subchapter, "proposed
8 comprehensive zoning change" means a municipal proposal to:

9 (1) change an existing zoning regulation that:

10 (A) will have the effect of allowing more
11 residential development than the previous regulation; and

12 (B) will apply uniformly to each parcel in one or
13 more zoning districts;

14 (2) adopt a new zoning code or zoning map that will
15 apply to the entire municipality; or

16 (3) adopt a zoning overlay district that:

17 (A) will have the effect of allowing more
18 residential development than allowed without the overlay; and

19 (B) will include an area along a major roadway,
20 highway, or transit corridor.

21 SECTION 2. Section 211.006(a), Local Government Code, is
22 amended to read as follows:

23 (a) The governing body of a municipality wishing to exercise
24 the authority relating to zoning regulations and zoning district

1 boundaries shall establish procedures for adopting and enforcing
2 the regulations and boundaries. A regulation or boundary is not
3 effective until after a public hearing on the matter at which
4 parties in interest and citizens have an opportunity to be
5 heard. Before the 15th day before the date of the hearing, notice
6 of the time and place of the hearing must be:

7 (1) published in an official newspaper or a newspaper
8 of general circulation in the municipality; and

9 (2) if the municipality maintains an Internet website,
10 published on the municipality's Internet website.

11 SECTION 3. Subchapter A, Chapter 211, Local Government
12 Code, is amended by adding Section 211.0061 to read as follows:

13 Sec. 211.0061. PROTEST PROCEDURES FOR CERTAIN PROPOSED
14 CHANGES. (a) This section applies only to a proposed change to a
15 zoning regulation or district boundary that is not a proposed
16 comprehensive zoning change.

17 (b) A protest of a proposed change to a zoning regulation or
18 district boundary must be written and signed by the owners of:

19 (1) at least 20 percent of the area of the lots or land
20 covered by the proposed change;

21 (2) except as provided by Subdivision (3), at least 20
22 percent of the area of the lots or land immediately adjoining the
23 area covered by the proposed change and extending 200 feet from that
24 area; or

25 (3) at least 60 percent of the area of the lots or land
26 immediately adjoining the area covered by the proposed change and
27 extending 200 feet from that area if the proposed change has the

1 effect of allowing more residential development than the existing
2 zoning regulation or district boundary and does not have the effect
3 of allowing additional commercial or industrial uses unless the
4 additional use is limited to the first floor of any residential
5 development and does not exceed 35 percent of the overall
6 development.

7 (d) If a proposed change to a regulation or district
8 boundary is protested in accordance with Subsection (b), the
9 proposed change must receive, in order to take effect, the
10 affirmative vote of at least:

11 (1) three-fourths of all members of the governing body
12 for a protest described by Subsection (b)(1) or (2); or

13 (2) a majority of all members of the governing body for
14 a protest described by Subsection (b)(3).

15 SECTION 4. Section 211.006(e), Local Government Code, is
16 transferred to Section 211.0061, Local Government Code, as added by
17 this Act, redesignated as Section 211.0061(c), Local Government
18 Code, and amended to read as follows:

19 (c) [~~(e)~~] In computing the percentage of land area under
20 Subsection (b):

21 (1) [~~(d)~~] the area of streets and alleys shall be
22 included; and

23 (2) the land area is not calculated individually for
24 each tract of land subject to a proposed change in a zoning
25 regulation or district boundary but in the aggregate for all tracts
26 of land subject to the change.

27 SECTION 5. Subchapter A, Chapter 211, Local Government

1 Code, is amended by adding Sections 211.0063 and 211.0065 to read as
2 follows:

3 Sec. 211.0063. NOTICE FOR PROPOSED COMPREHENSIVE ZONING
4 CHANGES. The notices described by Section 211.006(a) or
5 211.007(d), as applicable, and Section 211.006(a-1) are the only
6 notices required for a proposed comprehensive zoning change.

7 Sec. 211.0065. PRESUMPTION OF VALIDITY FOR CERTAIN CHANGES
8 TO ZONING REGULATIONS OR DISTRICT BOUNDARIES. A change to a zoning
9 regulation or district boundary that has the effect of allowing
10 more residential development than the previous regulation is
11 conclusively presumed valid and to have occurred in accordance with
12 all applicable statutes and ordinances if an action to annul or
13 invalidate the change has not been filed before the 60th day after
14 the effective date of the change.

15 SECTION 6. Subchapter A, Chapter 211, Local Government
16 Code, is amended by adding Section 211.0073 to read as follows:

17 Sec. 211.0073. NOTICE SIGN REQUIREMENT FOR CERTAIN ZONING
18 CHANGES IN HOME-RULE MUNICIPALITIES. (a) Not later than the 10th
19 day before the date the zoning commission of a home-rule
20 municipality holds a hearing on a proposed change in zoning
21 classification that does not apply to the whole municipality and
22 until the date of a final determination on the proposed change by
23 the governing body of the municipality, the zoning commission shall
24 post a notice sign in accordance with this section on:

25 (1) the property affected by the change; or

26 (2) a public right-of-way for a change initiated by
27 the municipality that affects multiple properties.

1 (b) The notice sign must be at least 24 inches long by 48
2 inches wide.

3 (c) The zoning commission may elect to provide, maintain,
4 and pay for a notice sign under this section or require an applicant
5 for a change in zoning classification to provide, maintain, and pay
6 for the sign.

7 (d) Notice requirements prescribed under this section are
8 in addition to notice required by Section 211.007.

9 SECTION 7. Sections 211.006(d) and (f), Local Government
10 Code, are repealed.

11 SECTION 8. The changes in law made by this Act apply only to
12 a proposal to change a municipal zoning regulation or district
13 boundary made on or after the effective date of this Act.

14 SECTION 9. This Act takes effect September 1, 2025.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 25, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB24 by Orr (Relating to procedures for changes to a zoning regulation or district boundary.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: JMc, SD, SZ, CWi, BC, CMA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 16, 2025

TO: Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB24 by Orr (relating to procedures for changes to a zoning regulation or district boundary.),
Committee Report 2nd House, Substituted

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304
Comptroller of Public Accounts

LBB Staff: JMc, SZ, CWi, BC, CMA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 14, 2025

TO: Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB24 by Orr (Relating to procedures for changes to a zoning regulation or district boundary.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: JMc, SZ, BC, CWi, CMA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 4, 2025

TO: Honorable Gary Gates, Chair, House Committee on Land & Resource Management

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB24 by Orr (relating to procedures for changes to a zoning regulation or district boundary.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304
Comptroller of Public Accounts

LBB Staff: JMc, SZ, BC, CWi, CMA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 24, 2025

TO: Honorable Gary Gates, Chair, House Committee on Land & Resource Management

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB24 by Orr (Relating to procedures for changes to a zoning regulation or district boundary.), **As Introduced**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

There could be an impact to municipalities if the attorney general determines they have violated provisions of the bill. The municipality would not be able to adopt an ad valorem tax rate that exceeds the municipality's no-new-revenue tax rate for the three tax years that begin on or after the date of the determination.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: JMc, SZ, BC, CWi, CMA