

1-1 By: DeAyala (Senate Sponsor - Huffman) H.B. No. 4057
 1-2 (In the Senate - Received from the House May 3, 2023;
 1-3 May 10, 2023, read first time and referred to Committee on Local
 1-4 Government; May 17, 2023, reported favorably by the following
 1-5 vote: Yeas 7, Nays 1, one present not voting; May 17, 2023, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Bettencourt	X			
1-9 Springer	X			
1-10 Eckhardt				X
1-11 Gutierrez	X			
1-12 Hall	X			
1-13 Nichols	X			
1-14 Parker	X			
1-15 Paxton	X			
1-16 West		X		

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the inclusion of a property in a conservation district
 1-21 by certain municipalities.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter A, Chapter 211, Local Government
 1-24 Code, is amended by adding Section 211.0166 to read as follows:

1-25 Sec. 211.0166. EXCLUSION FROM CERTAIN CONSERVATION
 1-26 DISTRICTS. (a) In this section, "conservation district" means a
 1-27 local preservation district authorized by ordinance by a
 1-28 municipality described by Subsection (b) to preserve, maintain, and
 1-29 protect the physical elements of development and the community
 1-30 character and heritage of neighborhoods having distinctive
 1-31 characteristics and patterns of development.

1-32 (b) This subsection applies only to a property located in a
 1-33 municipality with a population of two million or more.
 1-34 Notwithstanding any other law, this subsection applies regardless
 1-35 of whether the municipality has established a process for
 1-36 designating places or areas of historical, cultural, or
 1-37 architectural importance and significance through the adoption of
 1-38 zoning regulations or zoning district boundaries. The owner of a
 1-39 property included within the boundaries of a conservation district
 1-40 authorized by ordinance may elect to exclude the property from the
 1-41 district by filing in the real property records for the county in
 1-42 which the property is located an acknowledged statement:

1-43 (1) describing the property by reference to a map or
 1-44 plat of the subdivision; and

1-45 (2) stating that the owner elects to have the property
 1-46 excluded from the district.

1-47 (c) Subsection (b) does not apply to:

1-48 (1) the designation of a property as a local historic
 1-49 landmark described by Section 211.0165(a); or

1-50 (2) the inclusion of a property within the boundaries
 1-51 of a local historic district described by Section 211.0165(a).

1-52 (d) A statement filed under Subsection (b) must be filed
 1-53 before the first anniversary of the date of the inclusion in a
 1-54 conservation district. The exclusion of a property takes effect on
 1-55 the filing of the statement by the owner of the property.

1-56 SECTION 2. Section 211.0166, Local Government Code, as
 1-57 added by this Act, applies only to inclusion of a property within
 1-58 the boundaries of a conservation district authorized by ordinance
 1-59 after the effective date of this Act.

1-60 SECTION 3. This Act takes effect immediately if it receives
 1-61 a vote of two-thirds of all the members elected to each house, as

2-1 provided by Section 39, Article III, Texas Constitution. If this
2-2 Act does not receive the vote necessary for immediate effect, this
2-3 Act takes effect September 1, 2023.

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