

1-1 By: Hughes S.B. No. 844
1-2 (In the Senate - Filed January 17, 2025; February 13, 2025,
1-3 read first time and referred to Committee on Local Government;
1-4 April 14, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 4, Nays 1; April 14, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Bettencourt	X			
1-10	Middleton	X			
1-11	Cook		X		
1-12	Gutierrez			X	
1-13	Nichols			X	
1-14	Paxton	X			
1-15	West	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 844 By: Nichols

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to procedures for changes to a zoning regulation or
1-20 district boundary.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter A, Chapter 211, Local Government
1-23 Code, is amended by adding Section 211.0011 to read as follows:

1-24 Sec. 211.0011. DEFINITION. In this subchapter, "proposed
1-25 comprehensive zoning change" means a municipal proposal to:

1-26 (1) change an existing zoning regulation that:

1-27 (A) will have the effect of allowing more
1-28 residential development than the previous regulation; and

1-29 (B) will apply uniformly to each parcel in one or
1-30 more zoning districts;

1-31 (2) adopt a new zoning code or zoning map that will
1-32 apply to the entire municipality; or

1-33 (3) adopt a zoning overlay district that:

1-34 (A) will have the effect of allowing more
1-35 residential development than allowed without the overlay; and

1-36 (B) will include an area along a major roadway,
1-37 highway, or transit corridor.

1-38 SECTION 2. Section 211.006(a), Local Government Code, is
1-39 amended to read as follows:

1-40 (a) The governing body of a municipality wishing to exercise
1-41 the authority relating to zoning regulations and zoning district
1-42 boundaries shall establish procedures for adopting and enforcing
1-43 the regulations and boundaries. A regulation or boundary is not
1-44 effective until after a public hearing on the matter at which
1-45 parties in interest and citizens have an opportunity to be
1-46 heard. Before the 15th day before the date of the hearing, notice
1-47 of the time and place of the hearing must be:

1-48 (1) published in an official newspaper or a newspaper
1-49 of general circulation in the municipality; and

1-50 (2) if the municipality maintains an Internet website,
1-51 published on the municipality's Internet website.

1-52 SECTION 3. Subchapter A, Chapter 211, Local Government
1-53 Code, is amended by adding Section 211.0061 to read as follows:

1-54 Sec. 211.0061. PROTEST PROCEDURES FOR CERTAIN PROPOSED
1-55 CHANGES. (a) This section applies only to a proposed change to a
1-56 zoning regulation or district boundary that is not a proposed
1-57 comprehensive zoning change.

1-58 (b) A protest of a proposed change to a zoning regulation or
1-59 district boundary must be written and signed by the owners of:

1-60 (1) at least 20 percent of the area of the lots or land

covered by the proposed change; or

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

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

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

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

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

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

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

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

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

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

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

SECTION 6. Sections 211.006(d) and (f), Local Government Code, are repealed.

SECTION 7. The changes in law made by this Act apply only to a proposal to change a municipal zoning regulation or district boundary made on or after the effective date of this Act.

SECTION 8. This Act takes effect September 1, 2025.

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