

By: Baxter

H.B. No. 3461

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the manner in which a municipality may impose a
3 moratorium on commercial property development.

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

5 SECTION 1. Section 212.131, Local Government Code, is
6 amended by amending Subdivision (3) and adding Subdivision (4) to
7 read as follows:

8 (3) "Property development" means the new construction
9 of residential or commercial buildings on vacant land.

10 (4) "Commercial property" means property zoned for or
11 otherwise authorized for commercial use but excluding industrial
12 use.

13 SECTION 2. Section 212.132, Local Government Code, is
14 amended to read as follows:

15 Sec. 212.132. APPLICABILITY. This subchapter applies only
16 to a moratorium imposed on property development affecting only
17 residential property, commercial property, or both residential and
18 commercial property.

19 SECTION 3. (a) This Act applies to a moratorium adopted on
20 or after the effective date of this Act.

21 (b) If a moratorium affecting commercial property was
22 adopted by a municipality before the effective date of this Act and,
23 under the terms of the moratorium, remains in effect later than the
24 120th day after the effective date of this Act, the municipality

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1 must comply with Section 212.136, Local Government Code, to
2 continue the moratorium in effect later than the 120th day after the
3 effective date of this Act.

4 SECTION 4. This Act takes effect September 1, 2005.