

1-1 By: Huffman S.B. No. 2147  
 1-2 (In the Senate - Filed March 9, 2023; March 21, 2023, read  
 1-3 first time and referred to Committee on Local Government;  
 1-4 April 6, 2023, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 7, Nays 0; April 6, 2023,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2147 By: Nichols

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the designation of a property as a historic landmark and  
 1-22 the inclusion of a property in a historic district or similar  
 1-23 preservation district by certain municipalities.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 211.0165, Local Government Code, is  
 1-26 amended by adding Subsections (f) and (g) to read as follows:

1-27 (f) This subsection applies only to a property located in a  
 1-28 municipality with a population of two million or more.  
 1-29 Notwithstanding any other law, this subsection applies regardless  
 1-30 of whether the municipality has established a process for  
 1-31 designating places or areas of historical, cultural, or  
 1-32 architectural importance and significance through the adoption of  
 1-33 zoning regulations or zoning district boundaries. The owner of a  
 1-34 property designated as a historic landmark or included within the  
 1-35 boundaries of a local historic district or other historic  
 1-36 preservation district authorized by ordinance may elect to exclude  
 1-37 the property from the designation or district by filing in the real  
 1-38 property records for the county in which the property is located an  
 1-39 acknowledged statement:

1-40 (1) describing the property by reference to a map or  
 1-41 plat of the subdivision; and

1-42 (2) stating that the owner elects to have the property  
 1-43 excluded from the designation or district.

1-44 (g) A statement filed under Subsection (f) must be filed  
 1-45 before the first anniversary of the date of the designation as a  
 1-46 historic landmark or inclusion in a historic district or other  
 1-47 historic preservation district. The exclusion of a property from  
 1-48 designation or inclusion takes effect on the filing of the  
 1-49 statement by the owner of the property.

1-50 SECTION 2. Sections 211.0165(f) and (g), Local Government  
 1-51 Code, as added by this Act, apply only to designation of a property  
 1-52 as a historic landmark or inclusion of a property within the  
 1-53 boundaries of a local historic district or other historic  
 1-54 preservation district authorized by ordinance after the effective  
 1-55 date of this Act.

1-56 SECTION 3. This Act takes effect immediately if it receives  
 1-57 a vote of two-thirds of all the members elected to each house, as  
 1-58 provided by Section 39, Article III, Texas Constitution. If this  
 1-59 Act does not receive the vote necessary for immediate effect, this  
 1-60 Act takes effect September 1, 2023.

1-61 \* \* \* \* \*