

AN ACT

relating to the designation of a property as a historic landmark by a municipality.

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 211.0165 to read as follows:

Sec. 211.0165. DESIGNATION OF HISTORIC LANDMARK. (a)

Except as provided by Subsection (b), a municipality that has established a process for designating places or areas of historical, cultural, or architectural importance and significance through the adoption of zoning regulations or zoning district boundaries may not designate a property as a local historic landmark unless:

(1) the owner of the property consents to the designation; or

(2) the designation is approved by a three-fourths vote of:

(A) the governing body of the municipality; and

(B) the zoning, planning, or historical commission of the municipality, if any.

(b) If the property is owned by an organization that qualifies as a religious organization under Section 11.20, Tax Code, the municipality may designate the property as a local historic landmark only if the organization consents to the designation.

(c) The municipality must provide the property owner a statement that describes the impact that a historic designation of the owner's property may have on the owner and the owner's property. The municipality must provide the statement to the owner not later

than the 15th day before the date of the initial hearing on the historic designation of the property of:

- (1) the zoning, planning, or historical commission, if any; or
- (2) the governing body of the municipality.

(d) The historic designation impact statement must include lists of the:

- (1) regulations that may be applied to any structure on the property after the designation;
- (2) procedures for the designation;
- (3) tax benefits that may be applied to the property after the designation; and
- (4) rehabilitation or repair programs that the municipality offers for a property designated as historic.

(e) The municipality must allow an owner to withdraw consent at any time during the designation process.

SECTION 2. Section 211.0165, Local Government Code, as added by this Act, applies only to a designation of a property as a historic landmark made on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

President of the Senate Speaker of the House

I certify that H.B. No. 2496 was passed by the House on April 26, 2019, by the following vote: Yeas 124, Nays 11, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2496 was passed by the Senate on May 14, 2019, by the following vote: Yeas 25, Nays 6.

Secretary of the Senate

APPROVED: _____

Date

Governor