

Legislative Update

UT Law CLE Land Use Conference
April 20, 2023

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By the Numbers

- **8,295 Bills Filed**
 - 5,388 House Bills
 - 206 House Joint Resolutions (Constitutional Amendments)
 - 2,610 Senate Bills
 - 91 Senate Joint Resolutions
- Upcoming Deadlines:
 - May 8th: Deadline for H.B.s and H.J.R.s must be reported from committees
 - May 12th: Last Day for House to consider 3rd readings on H.B.s and H.J.R.s

(Sine Die: May 29th)



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Land Use Bills of Interest in 30 Minutes or Less

- Local Preemption
- Annexation / Disannexation
- Extraterritorial Jurisdiction
- Shot Clocks
- Zoning
- Economic Development
- MUDs & Parks
- Other...



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Super Preemption

- **Field Preemption: H.B. 2127 (Burrows) and S.B. 814 (Creighton)**
 - Preemption of city and county regulation in a field occupied by the following codes (unless explicitly authorized):
 - Agriculture
 - Occupations
 - Labor
 - Finance
 - Natural Resources
 - Property
 - Business and Commerce
 - Passed House 4/19 (92Y/55N); S.B. 814 heard in Senate Business and Commerce.



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Ag Preemption

Chickens, rabbits, fowl: H.B. 92 & H.J.R. 9 (Landgraf)

- Cities and POAs cannot prohibit: food production – veggies, rabbits, and fowl; solar or wind-powered energy device; underground shelters
- H.B. 92 Passed the House on 4/18. H.J.R. reported from House Agriculture & Livestock 3/22.

Agricultural Operation Regulation Limitation:

H.B. 1750 (Burns) / H.J.R. 126 and S.B. 1421 (Perry) and H.B. 2308 (Ashby)

- Bills limit city regulation of agricultural operations within the city limits.
- Not companions. Not identical.
- H.B. 1750 passed House 4/11, referred to Senate Water, Ag, and Rural Affairs 4/18
- S.B. 1421 passed the Senate 4/3, referred to House Ag and Livestock 4/17
- H.B. 2308 passed the House 4/11

Weedy Lot Ordinances: H.B. 1389 (Guillen)

- Weedy lot (tall vegetation) ordinances don't apply to agricultural operations.
- Passed House 4/14.



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Annexation

Annexation of Roadways: H.B. 586 (E. Thompson)

- Allows city to annex a right of way to create contiguity with an ETJ property requesting annexation.
- Set on House Local Calendar 4/20

Consent annexation across a railroad track:

H.B. 2956 (Shine)

- Voted from House Land and Resource Committee 4/18.



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