

## **BILL ANALYSIS**

Senate Research Center

S.B. 2078  
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Intergovernmental Relations  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Municipal authority to regulate beyond city limits is limited by state law. For example, city zoning ordinances do not apply to a city's extraterritorial jurisdiction (ETJ) by law. That, of course, does not mean that there are no rules or regulations outside of city limits.

Within and beyond a city's ETJ, both state and county rules and regulations are applicable to a whole host of activities and structures. Thus, ETJs, in particular, are subject to overlapping state, county, and municipal regulation.

S.B. 2078 aims to address this issue by clarifying that state law supersedes municipal ordinances outside of municipal boundaries for any activity or structure that is regulated by the state.

As proposed, S.B. 2078 amends current law relating to restrictions on municipal regulation in certain areas.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 229, Local Government Code, by adding Subchapter Z, as follows:

#### **SUBCHAPTER Z. MISCELLANEOUS PROVISIONS**

Sec. 229.901. RESTRICTION ON MUNICIPAL REGULATION IN CERTAIN AREAS. Prohibits a municipality, notwithstanding any other law, in an area in which the residents are ineligible or have only limited eligibility to vote in municipal elections, from regulating an activity or structure that is regulated by this state.

SECTION 2. Effective date: September 1, 2019.