



# Navigating Recent Texas Legislative Impacts on Development and Land Use Regulations

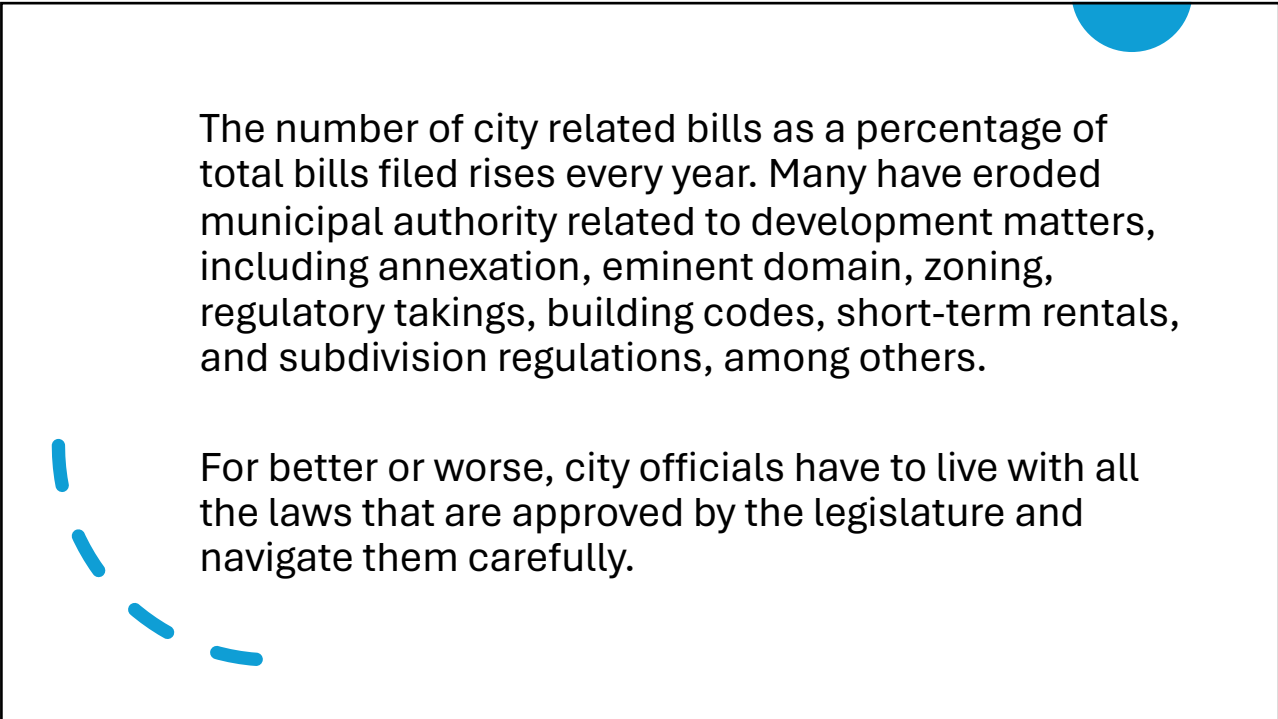
UT Land Use Conference

April 4, 2024

Janet Spugnardi & Carolyn Matthis

City of Irving City Attorney's Office

1



The number of city related bills as a percentage of total bills filed rises every year. Many have eroded municipal authority related to development matters, including annexation, eminent domain, zoning, regulatory takings, building codes, short-term rentals, and subdivision regulations, among others.

For better or worse, city officials have to live with all the laws that are approved by the legislature and navigate them carefully.

2

# Key Topics

- HB 2439
- HB 3167
- SB 929
- HB 1750
- HB 2127

3

FEATURED

## New state law prohibits city rules on nationally accepted building materials

By Peggy Heinkel-Wolfe Staff Writer pheinkel-wolfe@dentonrc.com Jul 23, 2019 Updated Jul 24, 2019

### New state law prevents cities from regulating construction materials

HB 2439 was signed by Gov. Abbott and went into effect this month

New law may change aesthetics of communities across Texas




Construction workers frame a house Tuesday at the corner of Cody Lane and Doris Drive, in north Denton. A new state law limits what cities can do to regulate construction materials used by homebuilders.

4



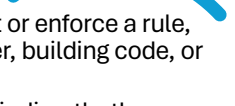
## 2019 Legislative Session

- **Building Materials:** HB 2439 - prohibits cities from regulating building products, materials or aesthetic methods used in constructing or renovating buildings; effective Sept. 1, 2019.
- 

5



## H.B. 2439

- Provides that a city may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that:
    - Prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles; or
    - Establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles
- 

6

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

## Title search: Navigating Recent Texas Legislative Impacts on Development and Land Use Regulations

Also available as part of the eCourse

[2024 Land Use eConference](#)

First appeared as part of the conference materials for the  
28<sup>th</sup> Annual Land Use Conference session

"Navigating Recent Texas Legislative Impacts on Development and Land Use Regulations"