

House of Representatives

Bill Number: HB 7

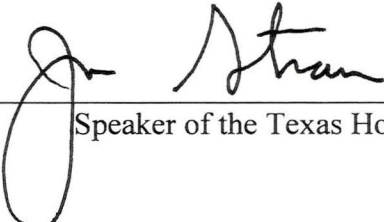
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Pursuant to Rule 13, Section 5A of the Rules of the Texas House, 85th Legislative Session, House Bill 7 is returned to the Senate.

When the bill left the House, it was a bill that had a single subject which related to tree planting credits to offset tree mitigation fees imposed by a municipality. That was its sole purpose in the one section of the bill that encompassed HB 7. The bill was not an omnibus tree bill or an omnibus regulation of municipalities' powers in its external jurisdiction. The Senate committee substitute and amendments impermissibly introduced both nongermane concepts and impermissible additional subjects.

As returned from the Senate, Section 1 of the bill now creates a complete ban on municipalities from regulating within their ETJs the ability of the owner of property that has been platted to remove a tree or vegetation on the owner's property.

In addition, added section 212.905, Local Government Code, as added by Floor Amendment Number 1, also contained a complete prohibition against a municipality from regulating the removal of a tree located on property of an existing one-family or two-family dwelling or that is less than 10 inches in diameter at the point of the trunk of the tree 4.5 feet above the ground. Both provisions violate the one-subject rule and neither is germane to the single subject of the bill. For these reasons, House Bill 7 is returned to the Senate.



Speaker of the Texas House