

By: Taylor of Collin

S.B. No. 1620

A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to the regulation of raising or keeping six or fewer  
3 chickens by a political subdivision.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. The heading to Chapter 251, Agriculture Code, is  
6 amended to read as follows:

7 CHAPTER 251. EFFECT OF NUISANCE ACTIONS AND GOVERNMENTAL  
8 REQUIREMENTS ON CERTAIN [PREEXISTING] AGRICULTURAL OPERATIONS

9 SECTION 2. Chapter 251, Agriculture Code, is amended by  
10 adding Section 251.007 to read as follows:

11 Sec. 251.007. SIX CHICKENS ALLOWED. (a) Notwithstanding  
12 any other law and except as provided by Subsection (b), a political  
13 subdivision may not impose a governmental requirement that  
14 prohibits an individual from raising or keeping six or fewer  
15 chickens in the boundaries of the political subdivision.

16       (b) A municipality may impose reasonable governmental  
17 requirements on the raising or keeping of poultry in the boundaries  
18 of the municipality that do not have the effect of prohibiting the  
19 raising or keeping of six or fewer chickens, including:

22 (2) a prohibition on breeding poultry;

23 (3) a prohibition on raising or keeping roosters; or

24 (4) the minimum distance an individual must maintain

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1 between a chicken coop and a residential structure.

2       (c) A governmental requirement adopted by a political  
3 subdivision that violates Subsection (a) is void.

4       SECTION 3. Section 251.007, Agriculture Code, as added by  
5 this Act, applies to a governmental requirement adopted before, on,  
6 or after the effective date of this Act.

7       SECTION 4. This Act takes effect September 1, 2017.