

**SUBJECT:** Restricting city regulation of homeless housing by religious organizations

**COMMITTEE:** Urban Affairs — favorable, without amendment

**VOTE:** 8 ayes — Cortez, Holland, Bernal, Campos, Gates, Jarvis Johnson,  
Minjarez, Slaton

0 nays

1 absent — Morales Shaw

**WITNESSES:** For — Amber Fogarty, Mobile Loaves and Fishes; (*Registered, but did not testify*: Matthew Lovitt, National Alliance on Mental Health Texas; J.D. Hale and Ned Munoz, Texas Association of Builders; Rachana Chhin, Texas Catholic Conference of Bishops; and 14 individuals)

Against — None

**BACKGROUND:** Some have called for Texas to proactively prevent litigation that would interfere with the right of religious organizations to house the homeless.

**DIGEST:** HB 2405 would establish that a municipal zoning or land use ordinance could not prohibit a religious organization from using its facility as housing for homeless individuals or from having housing units on the organization's property for homeless individuals.

A municipality could adopt or enforce an ordinance imposing reasonable health and safety regulations on housing for homeless individuals on a religious organization's property and could require that such organizations provide electricity and heat for each housing unit and at least one kitchen and bathroom on the property available to housed individuals.

For the purposes of such regulations and requirements, housing would not include temporary housing provided during an emergency or for natural disaster relief.

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The bill would take effect September 1, 2021.