

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality or a property owners' association to regulate the raising or keeping of chickens.

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

SECTION 1. Subchapter Z, Chapter 229, Local Government Code, is amended by adding Section 229.902 to read as follows:

Sec. 229.902. SIX CHICKENS ALLOWED ON SINGLE-FAMILY RESIDENTIAL LOT. (a) Notwithstanding any other law and except as provided by Subsection (b), a municipality may not adopt or enforce an ordinance that prohibits the raising or keeping of six or fewer chickens on a single-family residential lot.

(b) A municipality may impose reasonable regulations on the raising or keeping of poultry on a single-family residential lot that do not have the effect of prohibiting the raising or keeping of six or fewer chickens, including:

(1) a limit on the number of chickens that may be raised or kept in excess of six;

(2) a prohibition on breeding poultry;

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

(4) the minimum distance between a chicken coop and a residential structure.

(c) An ordinance adopted by a municipality that violates Subsection (a) is void.

SECTION 2. Chapter 202, Property Code, is amended by adding Section 202.025 to read as follows:

Sec. 202.025. SIX CHICKENS ALLOWED ON SINGLE-FAMILY RESIDENTIAL LOT. (a) Notwithstanding Section 202.002(a), this section applies only to a restrictive covenant created on or after September 1, 2025.

(b) Notwithstanding any other law and except as provided by Subsection (c), a property owners' association may not adopt or enforce a restrictive covenant that prohibits the raising or keeping of six or fewer chickens on a single-family residential lot.

(c) A property owners' association may adopt and enforce a restrictive covenant imposing reasonable requirements on the raising or keeping of poultry on a single-family residential lot that do not have the effect of prohibiting the raising or keeping of six or fewer chickens, including:

(1) a limit on the number of chickens that may be raised or kept in excess of six;

(2) a prohibition on breeding poultry;

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

(4) the minimum distance between a chicken coop and another lot.

(d) A provision that violates Subsection (b) is void.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.