

UPDATE ON H.B. 3813

Intergovernmental Relations Office – Brie L. Franco, Officer



H.B. 3813 BY REP. CODY HARRIS



- H.B. 3813 will preempt the City of Austin's current amplified sound ordinance.
- The bill as currently written will allow amplified sound up to 85 decibels (*the equivalent of a large motorcycle*) until 2 a.m., citywide.
- The bill is authored by Representative Cody Harris, a lawmaker from Palestine, TX.
- This bill impacts Austin, and only Austin. No other city in Texas would be required to lobby the legislature to redress grievances related to their local sound ordinance.

WHAT IS OUR CURRENT ORDINANCE?



Citywide

- Amplified Sound is allowed:
 - Sunday – Wednesday until 10:30 p.m.
 - Thursday until 11 p.m.
 - Friday/Saturday – 12 a.m.
 - *A permit may be sought for the districts below, or if the establishment falls within 600' of a property zoned and used for residential use.*

Sixth Street and Warehouse District

- Amplified Sound is Allowed
 - Everyday until 2 a.m.

Red River District

- Amplified Sound is Allowed:
 - Thursday until 12 a.m.
 - Friday/Saturday until 1 a.m.
 - Must follow Citywide Ordinance Sunday – Wednesday.



TIMELINE OF EVENTS



- **2003** – Austin’s baseline ordinance was revised, and the permit requirement was created.
- **2003** – Sixth Street District and Warehouse District created – allowing amplified sound until 2 a.m. in those designated areas.
- **2011** – Limits established for outdoor sound permits for bars within 600’ of property zoned and used as residential. They were restricted past 10 p.m. on amplified sound.
- **2012** – Limits loosened on outdoor sound permits for bars within 600’ of property zoned and used as residential; allowing more time for amplified sound. They are now restricted past 12 a.m.
- **2018** – Red River Cultural District created; allowing amplified sound until 1 a.m. on Friday and Saturday.
- **2021** – H.B. 3813 filed to preempt the City’s work on amplified sound.

THEY SAY, WE SAY



- While working on this bill, we have heard numerous false claims about the City of Austin's amplified sound ordinance. Those are:
 - **They Say:** The City implemented the current ordinance after aggrieved bar owners had established a presence.

We Say: Our current ordinance has been in place since 2003, with a few revisions since then. The current ordinance is the result of a longtime collaboration with residents, bar owners, live music venue operators, and other businesses to seek an ordinance that works for everyone involved.

- **They Say:** The City's current ordinance is anti-business.

We Say: H.B. 3813 is being pursued by a small list of bar owners who do not speak for the collective whole of businesses in Austin. In addition to the residents and their neighborhood associations who oppose the bill, real estate developers, hotel owner and operators, the Downtown Austin Alliance, apartments and the Texas Apartment Association have all expressed their opposition to the bill.

THEY SAY, WE SAY, CONTINUED.



- **They Say:** No other city has a sound ordinance.

We Say: False. All other large Texas cities have a sound ordinance. In fact, Austin is the least restrictive sound ordinance for a big city in the state.

Max sound levels

Austin: 85 dBA

Houston: 75 dBA

San Antonio: 56 dBA

(Riverwalk exception at 80 dBA)

Dallas: 63 dBA

El Paso: 70 dBA

Max Allowable Hour

Austin: 2 a.m.

Houston: 11 p.m.

San Antonio: 11 p.m.

Dallas: 10 p.m.

El Paso: 12 a.m.

NEXT STEPS



- H.B. 3813 is currently pending before the House Calendars Committee.
 - Rep. Cody Harris (the bill author) is a member of the committee.
- The City is currently engaging residents and their neighborhood associations, businesses, statewide associations, and our Austin legislative delegation to fight the bill.
- What can you do?
 - Call the members of House Calendars. Urge them to VOTE NO on H.B. 3813.
 - Educate your friends and neighbors about what this bill can do to harm your quality of life.

QUESTIONS?



Brie L. Franco
Intergovernmental Relations Officer
Brie.Franco@austintexas.gov

Thank you

