

By: Schofield

H.B. No. 3495

A BILL TO BE ENTITLED

AN ACT

relating to the release of extraterritorial jurisdiction by certain populous municipalities for certain purposes, including municipal incorporation.

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

SECTION 1. Subchapter B, Chapter 42, Local Government Code, is amended by adding Section 42.0252 to read as follows:

Sec. 42.0252. RELEASE OF EXTRATERRITORIAL JURISDICTION BY CERTAIN POPULOUS MUNICIPALITIES FOR CERTAIN PURPOSES. (a) In this section:

(1) "Adopting municipality" means a municipality the extraterritorial jurisdiction of which is less than the designated distance that would otherwise be applied under Section 42.021 because the extraterritorial jurisdiction of a releasing municipality was previously established.

(2) "Releasing municipality" means a municipality with a population of 1.8 million or more.

(b) A releasing municipality shall release an area from its extraterritorial jurisdiction and an adopting municipality shall include the area in its extraterritorial jurisdiction if:

(1) the adopting municipality receives:

(A) a petition that:

(i) is signed by a majority of the registered voters of the area that requests the municipality to

annex the area; and

(ii) includes a metes and bounds description of the area to be annexed; and

(B) the releasing municipality receives:

(i) a resolution from the adopting municipality that states the adopting municipality's intention to annex the area described in the petition under Paragraph (A) by consent of the voters of the area; and

(ii) a copy of the petition described under Paragraph (A); and

(2) the boundaries of the adopting municipality are located contiguous to the area and within the designated distance applicable to that municipality under Section 42.021.

(c) A releasing municipality shall release the area described under Subsection (b)(1)(A)(ii) not later than the 30th day after the date the municipality receives the documents described by Subsection (b)(1)(B) from a municipality that satisfies the conditions of Subsection (b)(2).

(d) The annexation of an area described under Subsection (b)(1)(A)(ii) by the adopting municipality must be completed on or before the first anniversary of the date the releasing municipality releases the area or the release of the area from that municipality's extraterritorial jurisdiction is void.

SECTION 2. Section 42.041, Local Government Code, is amended by adding Subsection (f) to read as follows:

(f) This section does not apply if the existing municipality is a municipality with a population of 1.8 million or more.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2017.