

AN ACT

relating to disclosure requirements for agreements consenting to municipal annexation.

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

SECTION 1. Subchapter A, Chapter 43, Local Government Code, is amended by adding Section 43.004 to read as follows:

Sec. 43.004. REQUIRED DISCLOSURE BEFORE ANNEXATION AGREEMENT. (a) At the time a municipality makes an offer to a landowner to enter into an agreement in which the landowner consents to annexation, the municipality must provide the landowner with the written disclosure described by Section 212.172(b-1).

(b) An annexation agreement for which a disclosure is not provided in accordance with Subsection (a) is void.

SECTION 2. Section 212.172, Local Government Code, is amended by adding Subsections (b-1) and (b-2) to read as follows:

(b-1) At the time a municipality makes an offer to a landowner to enter into an agreement under this subchapter, the municipality must provide the landowner with a written disclosure that includes:

(1) a statement that the landowner is not required to enter into the agreement;

(2) the authority under which the municipality may annex the land with references to relevant law;

(3) a plain-language description of the annexation

1 procedures applicable to the land;

2 (4) whether the procedures require the landowner's
3 consent; and

4 (5) a statement regarding the municipality's waiver of
5 immunity to suit.

6 (b-2) An agreement for which a disclosure is not provided in
7 accordance with Subsection (b-1) is void.

8 SECTION 3. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1338 passed the Senate on April 19, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 11, 2021, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1338 passed the House, with amendment, on May 4, 2021, by the following vote: Yeas 145, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor