

By: Tepper

H.B. No. 1279

A BILL TO BE ENTITLED

AN ACT

relating to the extent of a municipality's extraterritorial jurisdiction.

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

SECTION 1. Sections 42.021(a), (b), and (d), Local Government Code, are amended to read as follows:

(a) The extraterritorial jurisdiction of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located:

(1) within 250 feet [~~one-half mile~~] of those boundaries, in the case of a municipality with fewer than 5,000 inhabitants;

(2) within 500 feet [~~one mile~~] of those boundaries, in the case of a municipality with 5,000 to 24,999 inhabitants;

(3) within 1,000 feet [~~two miles~~] of those boundaries, in the case of a municipality with 25,000 to 49,999 inhabitants;

(4) within one-quarter mile [~~3-1/2 miles~~] of those boundaries, in the case of a municipality with 50,000 to 99,999 inhabitants; or

(5) within one-half mile [~~five miles~~] of those boundaries, in the case of a municipality with 100,000 or more inhabitants.

(b) Regardless of Subsection (a), the extraterritorial jurisdiction of a municipality is the unincorporated area that is

1 contiguous to the corporate boundaries of the municipality and that
2 is located:

3 (1) within one-half mile [~~five miles~~] of those
4 boundaries on a barrier island; or

5 (2) within 500 feet [~~one-half mile~~] of those
6 boundaries off a barrier island.

7 (d) Regardless of Subsection (a), the extraterritorial
8 jurisdiction of a municipality is the unincorporated area that is
9 contiguous to the corporate boundaries of the municipality and that
10 is located within one-half mile [~~three miles~~] of those boundaries
11 if the municipality:

12 (1) has a population of not less than 20,000 or more
13 than 29,000; and

14 (2) is located in a county that has a population of
15 45,000 or more and borders the Trinity River.

16 SECTION 2. Section [42.903](#)(b), Local Government Code, is
17 amended to read as follows:

18 (b) The governing body of the municipality by resolution or
19 ordinance may adopt an extraterritorial jurisdiction for all or
20 part of the unincorporated area contiguous to the corporate
21 boundaries of the municipality and located within 500 feet [~~one~~
22 ~~mile~~] of those boundaries. The authority granted by this section is
23 subject to the limitation provided by Section [26.178](#), Water Code.

24 SECTION 3. Section [212.001](#)(1), Local Government Code, is
25 amended to read as follows:

26 (1) "Extraterritorial jurisdiction" means a
27 municipality's extraterritorial jurisdiction as determined under

1 Chapter 42, except that for a municipality that has a population of
2 5,000 or more and is located in a county bordering the Rio Grande
3 River, "extraterritorial jurisdiction" means the area outside the
4 municipal limits but within one-half mile [~~five miles~~] of those
5 limits.

6 SECTION 4. Section 54.001(8), Water Code, is repealed.

7 SECTION 5. This Act takes effect September 1, 2023.