

By: Gates

H.B. No. 4295

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality to annex area qualified for agricultural or wildlife management use or as timberland.

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

SECTION 1. Section 43.016(b), Local Government Code, is amended to read as follows:

(b) A municipality may not annex an area to which this section applies without the written consent of each owner of the area being annexed ~~[unless:~~

~~[(1) the municipality offers to make a development agreement with the landowner under Section 212.172 that would:~~

~~[(A) guarantee the continuation of the extraterritorial status of the area; and~~

~~[(B) authorize the enforcement of all regulations and planning authority of the municipality that do not interfere with the use of the area for agriculture, wildlife management, or timber; and~~

~~[(2) the landowner declines to make the agreement described by Subdivision (1)].~~

SECTION 2. Sections 43.016(c), (d), and (e), Local Government Code, are repealed.

SECTION 3. This Act takes effect September 1, 2023.