

By: Lewis

H.B. No. 584

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the transfer of an area from the extraterritorial  
3 jurisdiction of one general-law municipality to that of another  
4 general-law municipality and to the municipal annexation of the  
5 area.

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

7 SECTION 1. Subchapter B, Chapter 42, Local Government Code,  
8 is amended by adding Section 42.027 to read as follows:

9 Sec. 42.027. TRANSFER OF EXTRATERRITORIAL JURISDICTION  
10 BETWEEN TWO GENERAL-LAW MUNICIPALITIES. (a) This section applies  
11 only to an area that:

12 (1) is located in the extraterritorial jurisdiction of  
13 a general-law municipality and initially became part of that  
14 extraterritorial jurisdiction on the date of that municipality's  
15 incorporation;

16 (2) would be located in the extraterritorial  
17 jurisdiction of a second general-law municipality and would have  
18 initially become part of that extraterritorial jurisdiction on the  
19 date of that municipality's incorporation if the first general-law  
20 municipality did not exist; and

21 (3) is contiguous to the corporate boundaries of the  
22 second general-law municipality.

23 (b) The owners of real property in the area may file a  
24 petition with the governing body of the second municipality

1 requesting that the governing body:

2 (1) accept the transfer of the area from the  
3 extraterritorial jurisdiction of the first municipality to the  
4 extraterritorial jurisdiction of the second municipality; and

5 (2) annex the area.

6 (c) The petition must:

7 (1) state the purpose of the petition;

8 (2) be signed, during the 60 days before the date the  
9 petition is filed, by each owner of real property in the area, as  
10 the owners are shown on the most recent tax rolls of the central  
11 appraisal district of the county in which the area is located;

12 (3) state the date each owner signs the petition;

13 (4) contain the printed name and the residential or  
14 business address of each owner;

15 (5) state the approximate number of acres in the area;

16 and

17 (6) describe the area by metes and bounds or, if a plat  
18 of the area has been prepared and recorded with the county in which  
19 the area is located, by lot and block number as shown on that plat.

20 (d) After receiving and verifying the petition, the  
21 governing body of the second municipality by resolution may accept  
22 the transfer of the area to the extraterritorial jurisdiction of  
23 that municipality and declare its intention to annex the area under  
24 Section 43.035. The transfer of the area occurs automatically on  
25 the day after the date the resolution is adopted, and on that day,  
26 the area is:

27 (1) removed from the extraterritorial jurisdiction of

1 the first municipality; and

2 (2) added to the extraterritorial jurisdiction of the  
3 second municipality.

4 (e) Promptly after adopting the resolution, the governing  
5 body of the second municipality shall give to the first  
6 municipality a written notice of the transfer of the area to the  
7 extraterritorial jurisdiction of the second municipality. The  
8 notice must include the information described by Subsections (c)(5)  
9 and (6).

10 (f) Section 42.023 does not apply to the reduction made  
11 under this section to the extraterritorial jurisdiction of the  
12 first municipality.

13 SECTION 2. Subchapter B, Chapter 43, Local Government Code,  
14 is amended by adding Section 43.035 to read as follows:

15 Sec. 43.035. AUTHORITY OF GENERAL-LAW MUNICIPALITY TO ANNEX  
16 AREA FOLLOWING TRANSFER OF EXTRATERRITORIAL JURISDICTION. After a  
17 general-law municipality receives a petition and adopts a  
18 resolution under Section 42.027, the municipality may annex the  
19 area that is the subject of the petition and resolution.

20 SECTION 3. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2003.