

By: Corte

H.B. No. 1607

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of a general-law municipality to annex  
3 certain areas.

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

5 SECTION 1. Section 43.033, Local Government Code, is  
6 amended by amending Subsection (a) and adding Subsection (c) to  
7 read as follows:

8 (a) A general-law municipality may annex adjacent territory  
9 without the consent of any of the residents or voters of the area  
10 and without the consent of any of the owners of land in the area  
11 provided that the following conditions are met:

12 (1) the municipality has a population of 1,000 or more  
13 and is not eligible to adopt a home-rule charter;

14 (2) the procedural rules prescribed by this chapter  
15 are met;

16 (3) the municipality or another governmental entity is  
17 ~~[must be]~~ providing the area with water or sewer service;

18 (4) the area does not include unoccupied territory in  
19 excess of:

20 (A) one acre for each service address for water  
21 and sewer service; or

22 (B) five acres for each service address for water  
23 and sewer service, if the municipality has a population of less than  
24 2,000;

1           (5) the service plan requires that police and fire  
2 protection at a level consistent with protection provided within  
3 the municipality must be provided to the area within 10 days after  
4 the effective date of the annexation; and

5           (6) the municipality and the affected landowners have  
6 not entered an agreement to not annex the area for a certain time  
7 period.

8           (c) A general-law municipality may annex an area adjacent to  
9 the municipality without the consent of any of the residents or  
10 voters of the area and without the consent of any of the owners of  
11 land in the area if:

12                   (1) the area is owned by a governmental entity;

13                   (2) each property in the area is adjacent to property  
14 in the boundaries of the municipality that is owned by the same  
15 person as the person who owns the property in the area; or

16                   (3) one or more municipalities surround more than 65  
17 percent of the perimeter of the area.

18           SECTION 2. This Act takes effect September 1, 2003.