

1-1 By: Madla S.B. No. 1302
1-2 (In the Senate - Filed March 12, 2003; March 19, 2003, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; May 1, 2003, reported favorably by the following vote:
1-5 Yeas 5, Nays 0; May 1, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to adding land that is in the extraterritorial
1-9 jurisdiction of a municipality to the territory of certain special
1-10 purpose districts.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter C, Chapter 42, Local Government Code,
1-13 is amended by adding Section 42.048 to read as follows:

1-14 Sec. 42.048. EXPANSION OF CERTAIN SPECIAL PURPOSE DISTRICTS
1-15 TO INCLUDE EXTRATERRITORIAL JURISDICTION. (a) A political
1-16 subdivision, one purpose of which is to supply fresh water for
1-17 domestic or commercial use or to furnish sanitary sewer services,
1-18 roadways, or drainage, that is authorized to add territory to its
1-19 jurisdiction may not add territory that is in the extraterritorial
1-20 jurisdiction of a municipality unless the governing body of the
1-21 municipality gives its written consent.

1-22 (b) If the governing body fails or refuses to give its
1-23 consent for the addition of territory to a political subdivision on
1-24 mutually agreeable terms within 90 days after the date it receives a
1-25 written request for the consent under Subsection (a), a majority of
1-26 the qualified voters of the territory for which the request was made
1-27 and the owners of at least 50 percent of the land in that territory
1-28 may petition the governing body to make available to the territory
1-29 the water or sanitary sewer services, or both, that would be
1-30 provided by the political subdivision.

1-31 (c) If, within 120 days after the date the governing body
1-32 receives the petition, the governing body fails to make a contract
1-33 with a majority of the qualified voters of the territory for which
1-34 the request was made and the owners of at least 50 percent of the
1-35 land in that territory to provide the services, that failure
1-36 constitutes the governing body's consent to the addition of the
1-37 territory to the proposed political subdivision.

1-38 SECTION 2. The heading to Subchapter C, Chapter 42, Local
1-39 Government Code, is amended to read as follows:

1-40 SUBCHAPTER C. CREATION OR EXPANSION OF GOVERNMENTAL
1-41 ENTITIES IN EXTRATERRITORIAL JURISDICTION

1-42 SECTION 3. This Act takes effect September 1, 2003.

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