

By: Mowery

H.B. No. 49

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of certain home-rule municipalities on a barrier island in the Gulf of Mexico.

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

SECTION 1. Subchapter Z, Chapter 43, Local Government Code, is amended by adding Section 43.904 to read as follows:

Sec. 43.904. JURISDICTION OF CERTAIN HOME-RULE MUNICIPALITIES OVER BARRIER ISLANDS. (a) In this section, "barrier island" means an island bordering on the Gulf of Mexico.

(b) This section applies only to a home-rule municipality that has a population of less than 50,000 and is not predominantly located on a barrier island.

(c) The home-rule municipality may not:

(1) extend its corporate limits to or have its extraterritorial jurisdiction on a barrier island on which a municipality incorporated before December 1, 2005, exists; or

(2) annex land on the island.

(d) An agreement by which a home-rule municipality pledges, directly or indirectly, taxes or other revenue from or attributable to territory located on a barrier island does not create an enforceable right to prevent the reformation of the municipality's boundary under Subsection (e).

(e) The boundary of a home-rule municipality is void to the extent that it violates Subsection (c), and the boundary is

1 reformed on December 1, 2005, to exclude the territory on the  
2 barrier island.

3 SECTION 2. This Act takes effect December 1, 2005.