

Amend **HB 1772** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS appropriately:

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

Sec. 43.035. AUTHORITY OF MUNICIPALITY TO ANNEX AREA QUALIFIED FOR AGRICULTURAL OR WILDLIFE MANAGEMENT USE. (a) This section applies only to an area:

(1) eligible to be the subject of a development agreement under Subchapter G, Chapter 212; and

(2) appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code.

(b) A municipality may not annex an area to which this section applies 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 agricultural or wildlife management use of the area; and

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

SECTION __. The change in law made by Section 43.035, Local Government Code, as added by this Act, applies only to an annexation for which the first hearing required under Section 43.0561 or 43.063, Local Government Code, as appropriate, occurs on or after the effective date of this Act. An annexation for which the first hearing under either of those sections was held before the effective date of this Act is governed by the law in effect at the time of the hearing, and the former law is continued in effect for that purpose.