

BILL ANALYSIS

H.B. 586
By: Corte
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, small municipalities that do not have home-rule annexation ability can annex properties only if the majority of qualified voters of the area vote in favor of becoming a part of the municipality. Frequently, municipalities assist counties with service delivery for unincorporated areas, especially when distance makes it more convenient for the municipalities to provide the services. The situation becomes problematic and unfair once an unincorporated area is surrounded by municipalities. Owners of these unincorporated properties benefit from municipality-provided services without paying for them.

The purpose of H.B. 586 is to give general-law municipalities the authority to annex certain property without the consent of the residents or owners if they are providing services to the property.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, agency, or institution.

ANALYSIS

SECTION 1. *Amends Section 43.033, Local Government Code, by amending Subsection (a) and adding Subsection (c), as follows:*

Authorizes municipalities and certain other governmental entities to annex adjacent territory without the consent of residents or voters of the area or owners of land in the area **if** the municipality or other governmental entity provides the area with water or sewer service **and** other conditions are met.

Requires that the area not include unoccupied territory in excess of five acres for each service address for water and sewer service, if the municipality has a population of less than 2,000.

Authorizes a municipality to annex an area adjacent to the municipality without the consent of any residents or voters of the area or owners of the land in the area **if** one of the three following conditions is met:

The area is owned by a governmental entity.

Each property in the area is adjacent to property in the boundaries of the municipality that is owned by the same person who owns the property in the area.

One or more municipalities surround more than 65 percent of the perimeter of the area.

SECTION 2. Effective Date.

EFFECTIVE DATE

September 1, 2005.

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