

BILL ANALYSIS

H.B. 2305
By: Casteel
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a municipality may annex agricultural or wildlife management use land without having to discuss the annexation with the landowner. Oftentimes, this causes undue hardship on the landowner and adversely affects his/her way of life.

The purpose of H.B. 2305 is to allow a municipality to enter into a development agreement with a landowner of agricultural or wildlife management use land instead of automatically choosing annexation.

RULEMAKING AUTHORITY

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

ANALYSIS

SECTION 1. *Amends Subchapter B, Chapter 43, Local Government Code, by adding Section 43.035, as follows:*

Makes this section applicable to an area eligible to be the subject of a development agreement and appraised for ad valorem tax purposes as land for agricultural or wildlife management use.

Prohibits a municipality from annexing an area to which this section applies **unless** the municipality offers to make a development agreement that would guarantee the continuation of the extraterritorial status of the area **and** 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.

Authorizes the municipality to annex the land if the landowner declines to make the agreement.

SECTION 2. Transition Clause.

SECTION 3. Effective Date.

EFFECTIVE DATE

Effective date is September 1, 2005 or immediately if approved by two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.