

By: Miller

H.B. No. 1772

A BILL TO BE ENTITLED

1 AN ACT

2 relating to permitting a general-law municipality to annex land in  
3 certain circumstances.

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

5 SECTION 1. Section 43.033(a), Local Government Code, is  
6 amended to read as follows:

7 (a) A general-law municipality may annex adjacent territory  
8 without the consent of any of the residents or voters of the area  
9 and without the consent of any of the owners of land in the area  
10 provided that the following conditions are met:

11 (1) the municipality has a population of 1,000 or more  
12 and is not eligible to adopt a home-rule charter;

13 (2) the procedural rules prescribed by this chapter  
14 are met;

15 (3) the municipality must be providing the area with  
16 water or sewer service;

17 (4) the area:

18 (A) does not include unoccupied territory in  
19 excess of one acre for each service address for water and sewer  
20 service; or

21 (B) is entirely surrounded by the municipality  
22 and the municipality is a Type A general-law municipality;

23 (5) the service plan requires that police and fire  
24 protection at a level consistent with protection provided within

1 the municipality must be provided to the area within 10 days after  
2 the effective date of the annexation; and

3 (6) the municipality and the affected landowners have  
4 not entered an agreement to not annex the area for a certain time  
5 period.

6 SECTION 2. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2005.