

By: Mowery

H.B. No. 2964

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the transfer of extraterritorial jurisdiction among
3 municipalities.

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

5 SECTION 1. Subchapter B, Chapter 42, Local Government Code,
6 is amended by adding Section 42.027 to read as follows:

7 Sec. 42.027. TRANSFER OF EXTRATERRITORIAL JURISDICTION IN
8 GENERAL. (a) Except as provided by Subsection (b), a municipality
9 may transfer any part of the area of the municipality's
10 extraterritorial jurisdiction to another municipality adjacent to
11 the area. The transfer must be made by a written agreement between
12 the municipalities.

13 (b) If the area to be transferred is not located in
14 proximity to the receiving municipality as provided by Section
15 42.021, the transfer may not be made unless each municipality that
16 is located in proximity to the area as provided by Section 42.021
17 declines to accept the area in its extraterritorial jurisdiction.

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