

1-1 By: Lucio S.B. No. 854
1-2 (In the Senate - Filed March 1, 2005; March 10, 2005, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 12, 2005, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; April 12, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the jurisdiction of certain home-rule municipalities on
1-9 a barrier island in the Gulf of Mexico.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter Z, Chapter 43, Local Government Code,
1-12 is amended by adding Section 43.904 to read as follows:

1-13 Sec. 43.904. JURISDICTION OF CERTAIN HOME-RULE
1-14 MUNICIPALITIES OVER BARRIER ISLANDS. (a) In this section,
1-15 "barrier island" means an island bordering on the Gulf of Mexico.

1-16 (b) This section applies only to a home-rule municipality
1-17 that has a population of less than 50,000 and is not predominantly
1-18 located on a barrier island.

1-19 (c) The home-rule municipality may not:

1-20 (1) extend its corporate limits to or have its
1-21 extraterritorial jurisdiction on a barrier island on which a
1-22 municipality incorporated before September 1, 2005, exists; or

1-23 (2) annex land on the island.

1-24 (d) An agreement by which a home-rule municipality pledges,
1-25 directly or indirectly, taxes or other revenue from or attributable
1-26 to territory located on a barrier island does not create an
1-27 enforceable right to prevent the reformation of the municipality's
1-28 boundary under Subsection (e).

1-29 (e) The boundary of a home-rule municipality is void to the
1-30 extent that it violates Subsection (c), and the boundary is
1-31 reformed on September 1, 2005, to exclude the territory on the
1-32 barrier island.

1-33 SECTION 2. This Act takes effect September 1, 2005.

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