

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 20, 2005

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB1772 by Miller (Relating to permitting a general-law municipality to annex land in certain circumstances.), **Committee Report 2nd House, As Amended**

No fiscal implication to the State is anticipated.

The bill would amend Section 43.033(a), Local Government Code, to add as a condition before a general-law municipality may annex adjacent territory without the consent of any of the residents or voters of the area and without the consent of any of the landowners that the area must be entirely surrounded by the municipality and it must be a Type A general-law municipality. One of the current criteria that must be met before an area as described can be annexed by a general-law municipality is that the area does not include unoccupied territory in excess of one acre for each service address for water and sewer service. Under the proposed statute, only one of these two criteria must be met in addition to the other criteria listed.

The bill would add Section 43.035 to the Local Government Code to prohibit a municipality from annexing an area qualified for agricultural or wildlife management use unless certain criteria are met and certain actions are taken.

Local Government Impact

Having to meet the listed criteria could reduce annexation that an applicable municipality may be authorized to impose without obtaining consent of persons affected.

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, DLBa, WK