

Amend **HB 610** (Senate committee printing) by adding the following appropriately numbered sections to the bill and renumbering subsequent sections of the bill accordingly:

SECTION \_\_\_\_ . Subchapter B, Chapter 43, Local Government Code, is amended by adding Section 43.035 to read as follows:

Sec. 43.035. ANNEXATION OF CERTAIN CONTIGUOUS AREAS BY GENERAL LAW MUNICIPALITY. (a) Notwithstanding any other provision of this chapter, a general law municipality may annex an unincorporated area located within three contiguous miles of the municipality's corporate limits or extraterritorial jurisdiction if the municipality receives a petition for annexation from at least 75 percent of the qualified voters of the area to be annexed. If any part of a subdivision is within the three mile limit, all of the subdivision may be annexed under this section.

(b) In order to file a petition under this section, part of the area to be annexed must be:

(1) within the boundaries of a school district with a high school located within the general law municipality's corporate limits or extraterritorial jurisdiction; and

(2) within three linear miles of the general law municipality's main police station.

(c) If the general law municipality grants the petition, the municipality shall have the sole authority and power to annex the affected area.

(d) On the effective date of the ordinance annexing the territory, the area becomes a part of the general law municipality and the inhabitants of the area are entitled to the rights and privileges of other residents of the municipality and are bound by the acts and ordinances adopted by the municipality.

(e) The fact that the affected area is within the extraterritorial jurisdiction or annexation plan of a home rule municipality does not affect the power of the general law municipality to annex the area under this section if that home rule municipality does not elect the home rule municipality's governing body from single member districts. If a general municipality annexes an area under this section and the area is within a home rule municipality's extraterritorial jurisdiction or annexation

plan, the home rule municipality's extraterritorial jurisdiction and annexation plan area are decreased by that amount. An area annexed under this section is exempt from the requirements of this chapter from being in a general law municipality's annexation plan.

(f) In a petition filed under this section, the petitioners may propose a service plan, and the general law municipality may adopt the proposed service plan in the annexation ordinance without undergoing the procedures required by this chapter for the adoption of a service plan.

SECTION \_\_\_\_\_. Section 43.052, Local Government Code, is amended by adding Subsection (k) to read as follows:

(k) Notwithstanding the restrictions imposed by Subsections (e) and (g), under an agreement described by Section 43.0563 a municipality may annex an area for full or limited purposes at any time on petition of the owner of the area for the annexation if the area:

- (1) is in the municipality's annexation plan; or
- (2) was previously in the municipality's annexation plan but removed under Subsection (e).

SECTION \_\_\_\_\_. Section 43.0563, Local Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The governing body of a municipality with a population of less than 1.6 million may negotiate and enter into a written agreement ~~[with representatives designated under Section 43.0562(b)]~~ for the provision of services and the funding of the services in an [the] area with:

- (1) representatives designated under Section 43.0562(b), if the area is included in the municipality's annexation plan; or

(2) an owner of an area within the extraterritorial jurisdiction of the municipality if the area is not included in the municipality's annexation plan.

(a-1) An [The] agreement under this section may also include an agreement related to permissible land uses and compliance with municipal ordinances.

SECTION \_\_\_\_\_. Section 43.0564(a), Local Government Code, is

amended to read as follows:

(a) If the municipality and the representatives of the area proposed for annexation cannot reach an agreement for the provision of services under Section 43.0562 or if the municipality and the property owner representatives described by Section 43.0563(a)(1) cannot reach an agreement for the provision of services in lieu of annexation under Section 43.0563, either party by majority decision of the party's representatives may request the appointment of an arbitrator to resolve the service plan issues in dispute. The request must be made in writing to the other party before the 60th day after the date the service plan is completed under Section 43.056. The municipality may not annex the area under another section of this chapter during the pendency of the arbitration proceeding or an appeal from the arbitrator's decision.