

## **BILL ANALYSIS**

H.B. 492  
By: Orr  
County Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Municipalities are authorized to remove territory within their city limits from an emergency services district (ESD). In counties with a population less than 125,000, municipalities are also authorized to withdraw territory in their extraterritorial jurisdiction (ETJ) from an ESD. Allowing a city to unilaterally withdraw territory from its ETJ is problematic since residents in the ETJ pay no taxes to the municipality and cannot vote in municipal elections. The problem of ETJ removal becomes acute when a municipality decides it no longer will provide emergency services to an area it has removed from an ESD but has not fully annexed.

H.B. 492 addresses this problem by banning the removing of an ETJ from an ESD for all counties, not just larger ones.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 492 strikes the ability for the governing body of a municipality in a county with fewer than 125,000 in population from removing territory in that municipality's extraterritorial jurisdiction from an emergency services district.

### **EFFECTIVE DATE**

September 1, 2007.