

## **BILL ANALYSIS**

C.S.H.B. 536  
By: Truitt  
Land & Resource Management  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

For the extraterritorial jurisdiction of a municipality to be reduced the governing body of that municipality must give written consent, except in cases of judicial apportionment of overlapping extraterritorial jurisdictions.

The purpose of C.S.H.B. 536 is to allow certain municipalities to avoid obtaining written consent when annexing an area in a water or sewer district, that meets criteria.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

SECTION 1. *Amends Section 43.071, Local Government Code, by adding new Subsection (g), as follows:*

Provides that for an annexation in an area in a water or sewer district that is wholly or partly in the overlapping extraterritorial jurisdiction of two or more municipalities, any one of those municipalities is not required to obtain the written consent of any other municipalities in order to annex the area if:

The area contains less than 100 acres;

The annexing municipality, before June 1, 2005, annexed more than 50 percent of the territory of the water or sewer district, as the district existed on the date of its creation; and,

The entire water or sewer district would be contained in the annexing municipality after completion of the annexation.

SECTION 2. Provides that Section 43.071(g), Local Government Code, as added by this Act, applies only to the annexation of an area for which all parts of the statutory annexation process are begun on or after the effective date of this Act. The annexation of an area for which any part of the statutory annexation process was begun before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 3. Effective Date.

### **EFFECTIVE DATE**

Upon passage, or if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

- SECTION 1. No change from the Original to the Committee Substitute.
- SECTION 2. The Original provision is moved to SECTION 3 of the Committee Substitute. The Committee Substitute provides that Section 43.071(g), Local Government Code, as added by this Act, applies only to the annexation of an area for which all parts of the statutory annexation process are begun on or after the effective date of this Act. The annexation of an area for which any part of the statutory annexation process was begun before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.
- SECTION 3. The Original has no SECTION 3. The Committee Substitute provision is the same as the Original SECTION 2.