

BILL ANALYSIS

C.S.H.B. 631
By: King, Phil
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Limited purpose annexation allows municipalities to annex an area for the purposes of applying its planning, zoning, health, and safety ordinances in the area, but does not allow for the municipality to impose a property tax in that area until the municipality's services are available to that area. This allows for growth in a responsible manner, so that areas do not have to pay taxes to a municipality until they are receiving services that municipalities offer.

The purpose of C.S.H.B. 631 is to allow certain smaller municipalities to utilize limited purpose annexation. Currently the law only allows for populous municipalities to use limited purpose annexation.

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

This bill amends Section 43.121(a), Local Government Code, to allow limited purpose annexation by a home-rule municipality if it has a population of more than 225,000 inhabitants, or has a population of more than 17,500 and is located in a county with a population of less than 125,000 that is adjacent to a county with a population of more than 1.4 million.

This bill amends the heading of Section 43.121, Local Government Code (adds "CERTAIN" and deletes "POPULOUS" to read AUTHORITY OF CERTAIN HOME-RULE MUNICIPALITIES TO ANNEX FOR LIMITED PURPOSES; OTHER AUTHORITY NOT AFFECTED.)

This bill provides for an effective date (upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007).

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

The Committee Substitute narrows the applicability of the bill by including language making Section 43.121, Local Government Code, applicable to a home-rule municipality if it has a population of more than 225,000 inhabitants, or has a population of more than 17,500 and is located in a county with a population of less than 125,000 that is adjacent to a county with a population of more than 1.4 million. This narrowing is accomplished by adding the limiting language "in a county with a population of less than 125,000 . . ." in addition to the Original bill's provisions making this section applicable to a home-rule municipality if it has a population of more than 225,000 inhabitants, or has a population of more than 17,500 and is located in a county adjacent to a county with a population of more than 1.4 million.