

BILL ANALYSIS

H.B. 3325
By: Escobar
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Chapter 42, Local Government Code, provides population requirements as the basis to determine the size of the extra-territorial jurisdictions (ETJ) of municipalities. These population-based criteria, and their subsequent distance limitations, have proven problematic for certain municipalities located on barrier islands on the Gulf of Mexico. For these municipalities, it is preferable that the ETJ be inclusive of a substantial portion of the island upon which the municipality sits, instead of based solely on distance limitations.

The purpose of House Bill 3325 is to address this problem by creating provisions in statute for certain barrier island municipalities to have ETJs that more appropriately reflect the unique geography of certain barrier islands.

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

SECTION 1. *Amends Section 42.021, Local Government Code, as follows:*

Adds a new Subsection 42.021(b), Local Government Code, to provide that a municipality with territory located entirely on a barrier island on the Gulf of Mexico, that is within 30 miles of the international border, and that has a population of 2,000 or more, has an ETJ in the unincorporated area that is contiguous to the corporate boundaries of the municipality that is located within five miles of those boundaries on the barrier island.

Makes conforming changes.

SECTION 2. 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.