

BILL ANALYSIS

Senate Research Center

S.B. 1349
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Hooks Airport is a vital part of the economy of northwest Harris County. The City of Tomball is currently in negotiations with the owner of the airport to purchase the land to ensure that it continue to be used as an aviation facility. Current statute authorizes a municipality to annex an airport to the municipality under certain circumstances.

S.B. 1349 authorizes the City of Tomball to annex a noncontiguous airport owned by the city, together with other areas in proximity of the airport, provided that the annexation is in compliance with the requirements of current statute. The bill also requires that consent to and approval of the annexation be given by the City of Houston.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 43, Local Government Code, by adding Section 43.1025, as follows:

Sec. 43.1025. ANNEXATION OF NONCONTIGUOUS MUNICIPALLY OWNED AIRPORT BY CERTAIN MUNICIPALITIES. (a) Provides that this section only applies to a home-rule municipality with a population of less than 10,000 that is located primarily in a county with a population of more than 3.3 million.

(b) Authorizes the municipality to annex the unincorporated area of an airport owned by the municipality that is noncontiguous to the boundaries of the municipality regardless of whether the airport is located in the municipality's extraterritorial jurisdiction. Authorizes the annexation to include any unincorporated area located in the proximity of the airport.

(c) Authorizes the area described by Subsection (b) to be annexed without the consent of the owners or residents of the area, but the annexation is prohibited from occurring unless each municipality in whose extraterritorial jurisdiction the area may be located consents to the annexation, and reduces its extraterritorial jurisdiction over the area as provided by Section 42.023 (Reduction of Extraterritorial Jurisdiction).

(d) Requires a municipality to find that the annexation is in the public interest if the area proposed for annexation is completely surrounded by territory under the jurisdiction of another municipality, regardless of whether that jurisdiction is full-purpose, limited-purpose, or extraterritorial.

(e) Provides that the territory annexed under this section, following the annexation, is not required to be contiguous to the boundaries of the annexing municipality.

(f) Provides that the annexation of area under this section outside the extraterritorial jurisdiction of the annexing municipality does not expand the extraterritorial jurisdiction of the municipality.

(g) Authorizes the municipality to annex the area if the area is narrower than the minimum width prescribed by Section 43.054. Provides that Section 43.055 does not apply to the annexation.

SECTION 2. Effective date: upon passage or September 1, 2007.