

## **BILL ANALYSIS**

S.B. 1349  
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Land & Resource Management  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

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.

The purpose of S.B. 1349 is to authorize 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**

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 adds Section 43.1025 to the Local Government Code, titled "ANNEXATION OF NONCONTIGUOUS MUNICIPALLY OWNED AIRPORT BY CERTAIN MUNICIPALITIES". This new Section provides that it applies only to a home-rule municipality that has a population of less than 10,000 and is located primarily in a county with a population of more than 3.3 million. This new Section 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, and provides that the annexation may include any unincorporated area located in the proximity of the airport. This new Section authorizes this area to be annexed without the consent of the owners or residents of the area, but provides that the annexation may not occur unless each municipality in whose extraterritorial jurisdiction the area may be located both consents to the annexation and reduces its extraterritorial jurisdiction over the area as provided by Section 42.023, Local Government Code. This new Section requires the 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. This section provides that following annexation, territory annexed under this section is not required to be contiguous to the boundaries of the annexing municipality. This new Section 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. This new Section authorizes the municipality to annex the area if the area is narrower than the minimum width prescribed by Section 43.054, Local Government Code, and that Section 43.055, Local Government Code, does not apply to the annexation.

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.