

By: Truitt

H.B. No. 536

A BILL TO BE ENTITLED

AN ACT

relating to the consent required for a municipality to annex a water or sewer district.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 43.071, Local Government Code, is amended by adding Subsection (g) to read as follows:

(g) For an annexation of 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 under Section 42.023 the written consent of any of the other municipalities in order to annex the area if:

(1) the area contains less than 100 acres;

(2) 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

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

SECTION 2. 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

1 the effective date of this Act is governed by the law in effect
2 immediately before the effective date of this Act, and the former
3 law is continued in effect for that purpose.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2007.