

By: Brown of Brazos, Zedler, Flynn, Crabb,  
et al.

H.B. No. 610

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a plan to provide services to an area annexed by a  
3 municipality.

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

5 SECTION 1. Section 43.056(b), Local Government Code, is  
6 amended to read as follows:

7 (b) The service plan, which must be completed in the period  
8 provided by Subsection (a) before the annexation, must include a  
9 program under which the municipality will provide full municipal  
10 services in the annexed area no later than 2-1/2 years after the  
11 effective date of the annexation, in accordance with Subsection  
12 (e), and include a list of all services required by this section to  
13 be provided under the plan. [~~unless certain services cannot~~  
14 ~~reasonably be provided within that period and the municipality~~  
15 ~~proposes a schedule for providing those services. If the~~  
16 ~~municipality proposes a schedule to extend the period for providing~~  
17 ~~certain services, the schedule must provide for the provision of~~  
18 ~~full municipal services no later than 4-1/2 years after the~~  
19 ~~effective date of the annexation. If the area was annexed after~~  
20 ~~December 1, 1998, and before September 1, 1999, the municipality~~  
21 ~~shall provide sewer services in the annexed area as provided by this~~  
22 ~~subsection, except that, no later than five years after the~~  
23 ~~effective date of the annexation, the municipality may not provide~~  
24 ~~sewer services in the annexed area by means of a package wastewater~~

1 ~~treatment plant.~~] However, under the program if the municipality  
2 provides any of the following services within the corporate  
3 boundaries of the municipality before annexation, the municipality  
4 must provide those services in the area proposed for annexation on  
5 the effective date of the annexation of the area:

- 6 (1) police protection;
- 7 (2) fire protection;
- 8 (3) emergency medical services;
- 9 (4) solid waste collection, except as provided by  
10 Subsection (o);
- 11 (5) operation and maintenance of water and wastewater  
12 facilities in the annexed area that are not within the service area  
13 of another water or wastewater utility;
- 14 (6) operation and maintenance of roads and streets,  
15 including road and street lighting;
- 16 (7) operation and maintenance of parks, playgrounds,  
17 and swimming pools; and
- 18 (8) operation and maintenance of any other publicly  
19 owned facility, building, or service.

20 SECTION 2. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2007.