

By: Brown of Brazos

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

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