

By: Miller, Orr, Cook of Colorado

H.B. No. 1472

Substitute the following for H.B. No. 1472:

By: Orr

C.S.H.B. No. 1472

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the annexation of land for which property taxes are
3 imposed based on the land's value for agricultural or wildlife
4 management purposes.

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

6 SECTION 1. Subchapter B, Chapter 43, Local Government Code,
7 is amended by adding Section 43.035 to read as follows:

8 Sec. 43.035. AUTHORITY OF MUNICIPALITY TO ANNEX AREA
9 QUALIFIED FOR AGRICULTURAL OR WILDLIFE MANAGEMENT USE. (a) This
10 section applies only to an area:

11 (1) eligible to be the subject of a development
12 agreement under Subchapter G, Chapter 212; and

13 (2) appraised for ad valorem tax purposes as land for
14 agricultural or wildlife management use under Subchapter C or D,
15 Chapter 23, Tax Code.

16 (b) A municipality may not annex an area to which this
17 section applies unless:

18 (1) the municipality offers to make a development
19 agreement with the landowner under Section 212.172 that would:

20 (A) guarantee the continuation of the
21 extraterritorial status of the area; and

22 (B) authorize the enforcement of all regulations
23 and planning authority of the municipality that do not interfere
24 with the agricultural or wildlife management use of the area; and

1 (2) the landowner declines to make the agreement
2 described by Subdivision (1).

3 (c) For purposes of Section 43.021(2) or another law,
4 including a municipal charter or ordinance, relating to municipal
5 authority to annex an area adjacent to the municipality, an area
6 adjacent to an area that is the subject of a development agreement
7 described by Subsection (b)(1) is considered adjacent to the
8 municipality.

9 SECTION 2. The change in law made by this Act applies only
10 to an annexation for which the first hearing required under Section
11 43.0561 or 43.063, Local Government Code, as appropriate, occurs on
12 or after the effective date of this Act. An annexation for which
13 the first hearing under either of those sections was held before the
14 effective date of this Act is governed by the law in effect at the
15 time of the hearing, and the former law is continued in effect for
16 that purpose.

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