

By: Leibowitz

H.B. No. 3591

A BILL TO BE ENTITLED

AN ACT

relating to allowing certain identifiable communities in the extraterritorial jurisdiction of a municipality to incorporate.

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

SECTION 1. Section 42.041, Local Government Code, is amended by amending Subsection (a) and adding Subsections (f) and (g) to read as follows:

(a) Except as provided by Subsection (f), a [A] municipality may not be incorporated in the extraterritorial jurisdiction of an existing municipality unless the governing body of the existing municipality gives its written consent by ordinance or resolution.

(f) Subsection (a) does not apply to an identifiable community located in the extraterritorial jurisdiction of a populous municipality that is the predominant municipality in the county. In this subsection, "identifiable community" means a community that:

(1) has a post office and a unique zip code; and

(2) was identified in the last 10 federal decennial censuses.

(g) In Subsection (f):

(1) "populous municipality" means a municipality with a population of more than one million; and

(2) a municipality is considered to be the predominant municipality in the county only if the municipality has the largest

1 population of the municipalities in the county and no other
2 municipality in the county has a population of more than 50,000.

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