

By: Patrick

S.B. No. 1349

A BILL TO BE ENTITLED

AN ACT

relating to the annexation of certain municipally owned airports.

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

SECTION 1. Subchapter E, Chapter 43, Local Government Code, is amended by adding Section 43.1025 to read as follows:

Sec. 43.1025. ANNEXATION OF NONCONTIGUOUS MUNICIPALLY OWNED AIRPORT BY CERTAIN MUNICIPALITIES. (a) This section applies only to a home-rule municipality that has a population of less than 10,000 and is located primarily in a county with a population of more than 3.3 million.

(b) The municipality may annex the unincorporated area of an airport owned by the municipality that is noncontiguous to the boundaries of the municipality regardless of whether the airport is located in the municipality's extraterritorial jurisdiction. The annexation may include any unincorporated area located in the proximity of the airport.

(c) The area described by Subsection (b) may be annexed without the consent of the owners or residents of the area, but the annexation may not occur unless each municipality in whose extraterritorial jurisdiction the area may be located:

(1) consents to the annexation; and

(2) reduces its extraterritorial jurisdiction over the area as provided by Section 42.023.

(d) If the area proposed for annexation is completely

1 surrounded by territory under the jurisdiction of another
2 municipality, regardless of whether that jurisdiction is
3 full-purpose, limited-purpose, or extraterritorial, that
4 municipality must find that the annexation is in the public
5 interest.

6 (e) Following annexation, territory annexed under this
7 section is not required to be contiguous to the boundaries of the
8 annexing municipality.

9 (f) The annexation of area under this section outside the
10 extraterritorial jurisdiction of the annexing municipality does
11 not expand the extraterritorial jurisdiction of the municipality.

12 (g) The municipality may annex the area if the area is
13 narrower than the minimum width prescribed by Section 43.054.
14 Section 43.055 does not apply to the annexation.

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