

1-1 By: Patrick S.B. No. 1349  
1-2 (In the Senate - Filed March 7, 2007; March 19, 2007, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 19, 2007, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;  
1-6 April 19, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1349 By: Patrick

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the annexation of certain municipally owned airports.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter E, Chapter 43, Local Government Code,  
1-13 is amended by adding Section 43.1025 to read as follows:

1-14 Sec. 43.1025. ANNEXATION OF NONCONTIGUOUS MUNICIPALLY  
1-15 OWNED AIRPORT BY CERTAIN MUNICIPALITIES. (a) This section applies  
1-16 only to a home-rule municipality that has a population of less than  
1-17 10,000 and is located primarily in a county with a population of  
1-18 more than 3.3 million.

1-19 (b) The municipality may annex the unincorporated area of an  
1-20 airport owned by the municipality that is noncontiguous to the  
1-21 boundaries of the municipality regardless of whether the airport is  
1-22 located in the municipality's extraterritorial jurisdiction. The  
1-23 annexation may include any unincorporated area located in the  
1-24 proximity of the airport.

1-25 (c) The area described by Subsection (b) may be annexed  
1-26 without the consent of the owners or residents of the area, but the  
1-27 annexation may not occur unless each municipality in whose  
1-28 extraterritorial jurisdiction the area may be located:

1-29 (1) consents to the annexation; and

1-30 (2) reduces its extraterritorial jurisdiction over  
1-31 the area as provided by Section 42.023.

1-32 (d) If the area proposed for annexation is completely  
1-33 surrounded by territory under the jurisdiction of another  
1-34 municipality, regardless of whether that jurisdiction is  
1-35 full-purpose, limited-purpose, or extraterritorial, that  
1-36 municipality must find that the annexation is in the public  
1-37 interest.

1-38 (e) Following annexation, territory annexed under this  
1-39 section is not required to be contiguous to the boundaries of the  
1-40 annexing municipality.

1-41 (f) The annexation of area under this section outside the  
1-42 extraterritorial jurisdiction of the annexing municipality does  
1-43 not expand the extraterritorial jurisdiction of the municipality.

1-44 (g) The municipality may annex the area if the area is  
1-45 narrower than the minimum width prescribed by Section 43.054.  
1-46 Section 43.055 does not apply to the annexation.

1-47 SECTION 2. This Act takes effect immediately if it receives  
1-48 a vote of two-thirds of all the members elected to each house, as  
1-49 provided by Section 39, Article III, Texas Constitution. If this  
1-50 Act does not receive the vote necessary for immediate effect, this  
1-51 Act takes effect September 1, 2007.

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