

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Truitt

H.B. No. 536

A BILL TO BE ENTITLED

AN ACT

relating to the consent required for a municipality to annex a water or sewer district.

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

SECTION 1. Section 43.071, Local Government Code, is amended by adding Subsection (g) to read as follows:

(g) For an annexation of an area in a water or sewer district that is wholly or partly in the overlapping extraterritorial jurisdiction of two or more municipalities, any one of those municipalities is not required to obtain under Section 42.023 the written consent of any of the other municipalities in order to annex the area if:

(1) the area contains less than 100 acres;

(2) the annexing municipality, before June 1, 2005, annexed more than 50 percent of the territory of the water or sewer district, as the district existed on the date of its creation; and

(3) the entire water or sewer district would be contained in the annexing municipality after completion of the annexation.

SECTION 2. Section 43.071(g), Local Government Code, as added by this Act, applies only to the annexation of an area for which all parts of the statutory annexation process are begun on or after the effective date of this Act. The annexation of an area for which any part of the statutory annexation process was begun before

1 the effective date of this Act is governed by the law in effect  
2 immediately before the effective date of this Act, and the former  
3 law is continued in effect for that purpose.

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

ADOPTED

MAY 17 2007

*Leroy Spaul*  
Secretary of the Senate

By: Wentworth

H.B. No. 536

Substitute the following for H.B. No. 536:

By: [Signature]

C.S. H.B. No. 536

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8 that is wholly or partly in the overlapping extraterritorial  
9 jurisdiction of two or more municipalities, any one of those  
10 municipalities is not required to obtain under Section 42.023 the  
11 written consent of any of the other municipalities in order to annex  
12 the area if:

- 13 (1) the area contains less than 100 acres;  
14 (2) the annexing municipality, before June 1, 2005,  
15 annexed more than 50 percent of the territory of the water or sewer  
16 district, as the district existed on the date of its creation; and  
17 (3) the entire water or sewer district would be  
18 contained in the annexing municipality after completion of the  
19 annexation.

20 SECTION 2. Section 43.071(g), Local Government Code, as  
21 added by this Act, applies only to the annexation of an area for  
22 which all parts of the statutory annexation process are begun on or  
23 after the effective date of this Act. The annexation of an area for  
24 which any part of the statutory annexation process was begun before

1 the effective date of this Act is governed by the law in effect  
2 immediately before the effective date of this Act, and the former  
3 law is continued in effect for that purpose.

4 SECTION 3. This Act takes effect September 1, 2007.

**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 10, 2007**

**TO:** Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB536** by Truitt (Relating to the consent required for a municipality to annex a water or sewer district.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would, under certain circumstances, remove the requirement for one municipality to obtain written consent of any other applicable municipality when annexing an area in a water or sewer district that is wholly or partly in the overlapping extraterritorial jurisdiction of two or more municipalities. Removing requirements could result in a reduction in expenses related to the annexation process.

The provisions of the bill would apply only to the annexation of an area for which all parts of the statutory annexation process are begun on or after the effective date of the bill, which would be September 1, 2007.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, WK, DB

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 8, 2007**

**TO:** Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB536** by Truitt (Relating to the consent required for a municipality to annex a water or sewer district.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

The bill would, under certain circumstances, remove the requirement for one municipality to obtain written consent of any other applicable municipality when annexing an area in a water or sewer district that is wholly or partly in the overlapping extraterritorial jurisdiction of two or more municipalities. Removing requirements could result in a reduction in expenses related to the annexation process.

The provisions of the bill would apply only to the annexation of an area for which all parts of the statutory annexation process are begun on or after the effective date of the bill. The bill would take effect immediately upon the required two-thirds vote in each house; otherwise, it would take effect September 1, 2007.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, WK, DB

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 7, 2007**

**TO:** Honorable Anna Mowery, Chair, House Committee on Land & Resource Management

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB536** by Truitt (Relating to the consent required for a municipality to annex a water or sewer district. ), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would, under certain circumstances, remove the requirement for one municipality to obtain written consent of any other applicable municipality when annexing an area in a water or sewer district that is wholly or partly in the overlapping extraterritorial jurisdiction of two or more municipalities. Removing requirements could result in a reduction in expenses related to the annexation process.

The provisions of the bill would apply only to the annexation of an area for which all parts of the statutory annexation process are begun on or after the effective date of the bill. The bill would take effect immediately upon the required two-thirds vote in each house; otherwise, it would take effect September 1, 2007.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, WK, DB

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 5, 2007**

**TO:** Honorable Anna Mowery, Chair, House Committee on Land & Resource Management

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB536** by Truitt (Relating to the consent required for a municipality to annex a water or sewer district.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would, under certain circumstances, remove the requirement for one municipality to obtain written consent of any other applicable municipality when annexing an area in a water or sewer district that is wholly or partly in the overlapping extraterritorial jurisdiction of two or more municipalities. Removing requirements could result in a reduction in expenses related to the annexation process.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, WK, DB