

BILL ANALYSIS

H.B. 2705
By: Gattis
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Chapter 43 of the Local Government Code prescribes, among other things, the various requirements a municipality must adhere to when annexing an area that is on the municipality's three-year annexation plan. Specifically, Chapter 43 requires that municipalities set forth a service plan that ensures that certain service levels are maintained after the annexation is completed. It has been common practice for municipalities to ensure that landscaping of public rights-of-ways is maintained at a uniform level across their municipal boundaries.

Recently, disputes have arisen as to whether or not it is appropriate or fiscally feasible for one area of a municipality to receive landscaping of public rights-of-ways at a level that exceeds all of the other areas within the municipal boundaries.

H.B. 2705 ensures that services provided to newly annexed areas are consistent with the services provided to all existing residents in the municipality.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2705 amends the Local Government Code to require a service plan that provides for the extension of full municipal services to an area to be annexed by a municipality, to provide annexed public rights-of-way with a level of maintenance and landscaping that is comparable to the level of maintenance and landscaping available to other public rights-of-way in the municipality, if the annexed area had a level of services for maintaining and landscaping rights-of-way superior to the level of services provided within the corporate boundaries of the municipality before annexation.

EFFECTIVE DATE

September 1, 2009.