

BILL ANALYSIS

C.S.H.B. 91
By: Cook
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

An extraterritorial jurisdiction provides a municipality with some authority over surrounding unincorporated land. Such a jurisdiction is intended to protect the health, welfare, and safety of people living in and near a municipality. C.S.H.B. 91 seeks to establish provisions relating to the extent of extraterritorial jurisdiction for certain municipalities.

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

C.S.H.B. 91 amends the Local Government Code to establish that the extraterritorial jurisdiction of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located within three miles of those boundaries if the municipality has a population of not less than 20,000 or more than 29,000 and is located in a county that has a population of 45,000 or more and borders the Trinity River.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 91 omits provisions included in the original expanding the area that constitutes the extraterritorial jurisdiction of a municipality with 25,000 to 49,999 inhabitants from within two miles to within three miles of the unincorporated area that is contiguous to the corporate boundaries of the municipality; authorizing the governing bodies of affected municipalities to apportion overlapped expanded extraterritorial jurisdiction in a certain manner; and prohibiting the expansion of the extraterritorial jurisdiction of a municipality from including any area in the existing extraterritorial jurisdiction of another municipality.

C.S.H.B. 91 contains a provision not included in the original establishing that the extraterritorial jurisdiction of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located within three miles of those boundaries if the municipality has a population of not less than 20,000 or more than 29,000 and is located in a county that has a population of 45,000 or more and borders the Trinity River.