

By: Cook

H.B. No. 91

A BILL TO BE ENTITLED

AN ACT

relating to the extent of extraterritorial jurisdiction for certain municipalities.

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

SECTION 1. Section 42.021(a), Local Government Code, is amended to read as follows:

(a) The extraterritorial jurisdiction of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located:

(1) within one-half mile of those boundaries, in the case of a municipality with fewer than 5,000 inhabitants;

(2) within one mile of those boundaries, in the case of a municipality with 5,000 to 24,999 inhabitants;

(3) within three [~~two~~] miles of those boundaries, in the case of a municipality with 25,000 to 49,999 inhabitants;

(4) within 3-1/2 miles of those boundaries, in the case of a municipality with 50,000 to 99,999 inhabitants; or

(5) within five miles of those boundaries, in the case of a municipality with 100,000 or more inhabitants.

SECTION 2. Subchapter Z, Chapter 42, Local Government Code, is amended by adding Section 42.9011 to read as follows:

Sec. 42.9011. APPORTIONMENT OF EXTRATERRITORIAL JURISDICTIONS OF CERTAIN MUNICIPALITIES THAT OVERLAPPED ON SEPTEMBER 1, 2011. (a) If, on September 1, 2011, the expanded

1 extraterritorial jurisdiction that a municipality received under
2 Section 42.021(a)(3) overlapped the expanded extraterritorial
3 jurisdiction that one or more other municipalities received on that
4 date under Section 42.021(a)(3), the governing bodies of the
5 affected municipalities may apportion the overlapped area in the
6 same manner as provided by Section 42.901.

7 (b) The expansion of the extraterritorial jurisdiction of a
8 municipality under Section 42.021(a)(3) may not include any area in
9 the existing extraterritorial jurisdiction of another
10 municipality.

11 (c) In applying Section 42.901(c) for purposes of this
12 section, the date of September 1, 2011, is substituted for August
13 23, 1963.

14 SECTION 3. This Act takes effect September 1, 2011.