

AN ACT

relating to strategic partnerships for the continuation of certain water districts annexed by a municipality and to certain restrictions on their use.

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

SECTION 1. Subdivision (1), Subsection (a), Section 43.0751, Local Government Code, is amended to read as follows:

(1) "District" means a conservation and reclamation ~~[water control and improvement district or a municipal utility]~~ district ~~[created or]~~ operating under Chapter 49 ~~[51 or 54]~~, Water Code. The term does not include a groundwater conservation district operating under Chapter 36, Water Code, or a special utility district operating under Chapter 65, Water Code.

SECTION 2. Section 43.0751, Local Government Code, is amended by adding Subsection (r) to read as follows:

(r) A district or the area of a district annexed for limited purposes under this section must be:

(1) in the municipality's extraterritorial jurisdiction; and

(2) contiguous to the corporate boundaries of the municipality or an area annexed by the municipality for limited purposes, unless the district consents to noncontiguous annexation under a strategic partnership agreement with the municipality.

SECTION 3. Subchapter D, Chapter 43, Local Government Code,

1 is amended by adding Section 43.07515 to read as follows:

2 Sec. 43.07515. REGULATION OF FIREWORKS UNDER STRATEGIC
3 PARTNERSHIP AGREEMENT LAW. (a) A municipality may not regulate
4 under Section 43.0751 or 43.0752 the sale, use, storage, or
5 transportation of fireworks outside of the municipality's
6 boundaries.

7 (b) To the extent of a conflict with any other law, this
8 section controls.

9 SECTION 4. Section 43.0751, Local Government Code, as
10 amended by this Act, applies only to an annexation for limited
11 purposes of an area for which a municipality institutes proceedings
12 to annex the area on or after the effective date of this Act. The
13 annexation of an area for limited purposes for which a municipality
14 institutes annexation proceedings before that date is governed by
15 the law in effect immediately before the effective date of this Act,
16 and the former law is continued in effect for that purpose.

17 SECTION 5. Section 43.07515, Local Government Code, as
18 added by this Act, applies only to a regulation adopted on or after
19 the effective date of this Act.

20 SECTION 6. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1082 passed the Senate on April 14, 2011, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 23, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1082 passed the House, with amendments, on May 10, 2011, by the following vote: Yeas 141, Nays 1, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor