

By: M. Gonzalez of El Paso

H.B. No. 2003

Substitute the following for H.B. No. 2003:

By: Deshotel

C.S.H.B. No. 2003

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for the incorporation of certain  
census-designated places as municipalities.

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

SECTION 1. Subchapter C, Chapter 42, Local Government Code,  
is amended by adding Section 42.0412 to read as follows:

Sec. 42.0412. MUNICIPAL INCORPORATION OF CERTAIN  
CENSUS-DESIGNATED PLACES. (a) This section applies only to an  
area:

- (1) that is a census-designated place;
- (2) that has been incorporated and unincorporated as a  
municipality at least twice and has retained the same name;
- (3) that is located in a county with a population of  
800,000 or more that is adjacent to an international border; and
- (4) for which a home-rule municipality has refused to  
give its consent to incorporation under Section 42.041(a).

(b) The residents of any part of the area described by  
Subsection (a) may initiate an attempt to incorporate as a  
municipality by filing a written petition signed by at least 10  
percent of the registered voters of the area of the proposed  
municipality with the county judge of the county in which the  
proposed municipality is located. The petition must request the  
county judge to order an election to determine whether the area of  
the proposed municipality will incorporate. An incorporation

1 election under this section shall be conducted in the same manner as  
2 the applicable incorporation election under Subtitle A. The  
3 consent of the municipality that previously refused to give consent  
4 is not required for the incorporation.

5         SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2013.