

By: Rodriguez of Travis

H.B. No. 2171

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the annexation by a municipality of territory of an
3 emergency services district.

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

5 SECTION 1. Sections 775.022(a) and (c), Health and Safety
6 Code, are amended to read as follows:

7 (a) If a municipality completes all other procedures
8 necessary to annex territory in a district and if the municipality
9 intends to remove the territory from the district and be the sole
10 provider of [provide] emergency services to the territory by the
11 use of municipal personnel or by some method other than by use of
12 the district, the municipality shall send written notice of those
13 facts [that fact] to the board. The municipality must send the
14 notice to the secretary of the board by certified mail, return
15 receipt requested. The territory remains part of the district and
16 does not become part of the municipality until the secretary of the
17 board receives the notice. On receipt of the notice, the board
18 shall immediately change its records to show that the territory has
19 been disannexed from the district and shall cease to provide
20 further services to the residents of that territory. This
21 subsection does not require a municipality to remove from a
22 district territory the municipality has annexed.

23 (c) If a municipality removes [annexes] territory from [in]
24 a district that the municipality has annexed, the municipality

1 shall compensate the district immediately after disannexation of
2 the territory under Subsection (a) in an amount equal to the annexed
3 territory's pro rata share of the district's bonded and other
4 indebtedness as computed according to the formula in Subsection
5 (e). The district shall apply compensation received from a
6 municipality under this subsection exclusively to the payment of
7 the annexed territory's pro rata share of the district's bonded and
8 other indebtedness.

9 SECTION 2. This Act takes effect September 1, 2013.