

AN ACT

relating to the annexation of certain roads and areas adjacent to those roads.

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

SECTION 1. Section 43.028, Local Government Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) An area of land that would be eligible for annexation under this section except that the area does not meet the contiguity requirement of Subsection (a)(2) may be annexed under this section if a public right-of-way of a road or highway designated by the municipality exists that:

(1) is located entirely in the extraterritorial jurisdiction of the municipality; and

(2) when added to the area would cause the area to be contiguous to the municipality.

(h) Notwithstanding Section 43.054, on annexation of an area described by Subsection (g), the public right-of-way that makes the area eligible for annexation under Subsection (g) is included in the annexation to the municipality without regard to whether the owners of the public right-of-way sought annexation under this section. The ordinance providing for annexation must provide a metes and bounds description of the public right-of-way annexed under this subsection.

SECTION 2. Section 43.106, Local Government Code, is

1 amended to read as follows:

2           Sec. 43.106. ANNEXATION OF COUNTY ROADS REQUIRED IN CERTAIN  
3 CIRCUMSTANCES. (a) A municipality that proposes to annex any  
4 portion of a [~~paved~~] county road or territory that abuts a county  
5 road must also annex the entire width of the county road and the  
6 adjacent right-of-way on both sides of the county road.

7           (b) If a road annexed under Subsection (a) is a gravel road,  
8 the county retains control of granting access to the road and its  
9 right-of-way from property that:

10                   (1) is not located in the boundaries of the annexing  
11 municipality; and

12                   (2) is adjacent to the road and right-of-way.

13           SECTION 3. Section 43.106, Local Government Code, as  
14 amended by this Act, applies to an area proposed for annexation on  
15 or after the effective date of this Act or before the effective date  
16 of this Act if the statutory requirements for annexation under  
17 Subchapter C or C-1, Chapter 43, Local Government Code, have not  
18 been completed before the effective date of this Act.

19           SECTION 4. This Act takes effect September 1, 2015.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1949 was passed by the House on May 8, 2015, by the following vote: Yeas 142, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1949 on May 29, 2015, by the following vote: Yeas 140, Nays 1, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1949 was passed by the Senate, with amendments, on May 27, 2015, by the following vote: Yeas 29, Nays 2.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor