

By: Burton

S.B. No. 456

A BILL TO BE ENTITLED

1 AN ACT

2 relating to establishing a uniform one-half mile extraterritorial
3 jurisdiction limit for municipalities.

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

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

7 (a) The extraterritorial jurisdiction of a municipality is
8 the unincorporated area that is contiguous to the corporate
9 boundaries of the municipality and that is located[+

10 [~~(1)~~] within one-half mile of those boundaries[~~, in~~
11 ~~the case of a municipality with fewer than 5,000 inhabitants,~~

12 [~~(2)~~] within one mile of those boundaries, in the case
13 of a municipality with 5,000 to 24,999 inhabitants,

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

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

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

20 SECTION 2. Section 42.903(b), Local Government Code, is
21 amended to read as follows:

22 (b) The governing body of the municipality by resolution or
23 ordinance may adopt an extraterritorial jurisdiction for all or
24 part of the unincorporated area contiguous to the corporate

1 boundaries of the municipality and located within one-half [~~one~~
2 mile of those boundaries. The authority granted by this section is
3 subject to the limitation provided by Section 26.178, Water Code.

4 SECTION 3. Section 212.001(1), Local Government Code, is
5 amended to read as follows:

6 (1) "Extraterritorial jurisdiction" means a
7 municipality's extraterritorial jurisdiction as determined under
8 Chapter 42 [~~, except that for a municipality that has a population of
9 5,000 or more and is located in a county bordering the Rio Grande
10 River, "extraterritorial jurisdiction" means the area outside the
11 municipal limits but within five miles of those limits~~].

12 SECTION 4. Sections 42.021(b), (c), and (d), Local
13 Government Code, are repealed.

14 SECTION 5. This Act takes effect September 1, 2015.