

1-1 By: Lucio S.B. No. 2016
 1-2 (In the Senate - Filed March 25, 2015; March 30, 2015, read
 1-3 first time and referred to Committee on Intergovernmental
 1-4 Relations; May 18, 2015, reported favorably by the following vote:
 1-5 Yeas 4, Nays 0; May 18, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Lucio	X			
1-8 Bettencourt			X	
1-9 Campbell	X			
1-10 Garcia			X	
1-11 Menéndez	X			
1-12 Nichols	X			
1-13 Taylor of Galveston			X	

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to limitations on annexation by and extraterritorial
 1-18 jurisdiction of certain municipalities.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 42.023, Local Government Code, is
 1-21 amended to read as follows:

1-22 Sec. 42.023. REDUCTION OF EXTRATERRITORIAL JURISDICTION.
 1-23 The extraterritorial jurisdiction of a municipality may not be
 1-24 reduced unless the governing body of the municipality gives its
 1-25 written consent by ordinance or resolution, except:

1-26 (1) in cases of judicial apportionment of overlapping
 1-27 extraterritorial jurisdictions under Section 42.901; ~~or~~

1-28 (2) in accordance with an agreement under Section
 1-29 42.022(d); or

1-30 (3) as necessary to comply with Section 42.0235.

1-31 SECTION 2. Subchapter B, Chapter 42, Local Government Code,
 1-32 is amended by adding Section 42.0235 to read as follows:

1-33 Sec. 42.0235. LIMITATION ON EXTRATERRITORIAL JURISDICTION
 1-34 OF CERTAIN MUNICIPALITIES. (a) Notwithstanding Section 42.021,
 1-35 the extraterritorial jurisdiction of a municipality in a county
 1-36 that contains an international border and borders the Gulf of
 1-37 Mexico terminates two miles from the extraterritorial jurisdiction
 1-38 of a neighboring municipality if extension of the extraterritorial
 1-39 jurisdiction beyond that limit would:

1-40 (1) completely surround the corporate boundaries or
 1-41 extraterritorial jurisdiction of the neighboring municipality; and

1-42 (2) limit the growth of the neighboring municipality
 1-43 by precluding the expansion of the neighboring municipality's
 1-44 extraterritorial jurisdiction.

1-45 (b) A municipality shall release extraterritorial
 1-46 jurisdiction as necessary to comply with Subsection (a).

1-47 SECTION 3. Subchapter B, Chapter 43, Local Government Code,
 1-48 is amended by adding Section 43.037 to read as follows:

1-49 Sec. 43.037. PROHIBITION AGAINST ANNEXATION TO SURROUND
 1-50 MUNICIPALITY IN CERTAIN COUNTIES. A municipality in a county that
 1-51 contains an international border and borders the Gulf of Mexico may
 1-52 not annex an area that would cause another municipality to be
 1-53 entirely surrounded by the corporate limits or extraterritorial
 1-54 jurisdiction of the annexing municipality.

1-55 SECTION 4. The change in law made by Section 43.037, Local
 1-56 Government Code, as added by this Act, applies to any annexation,
 1-57 including an annexation proposed in an annexation plan under
 1-58 Section 43.052, Local Government Code, that is not final before the
 1-59 effective date of this Act.

1-60 SECTION 5. This Act takes effect immediately if it receives
 1-61 a vote of two-thirds of all the members elected to each house, as

2-1 provided by Section 39, Article III, Texas Constitution. If this
2-2 Act does not receive the vote necessary for immediate effect, this
2-3 Act takes effect September 1, 2015.

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