

SENATE AMENDMENTS

2nd Printing

By: Springer, Lozano

H.B. No. 1949

A BILL TO BE ENTITLED

AN ACT

relating to the annexation of county roads.

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

SECTION 1. Section 43.106, Local Government Code, is amended to read as follows:

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

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

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

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

SECTION 2. Section 43.106, Local Government Code, as amended by this Act, applies to an area proposed for annexation on or after the effective date of this Act or before the effective date of this Act if the statutory requirements for annexation under Subchapter C or C-1, Chapter 43, Local Government Code, have not been completed before the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2015.

Third reading

FLOOR AMENDMENT NO. 1 **ADOPTED** BY: Van Taylor

MAY 27 2015

1 Amend H.B. 1949 (senate ~~committee~~ printing) by adding the
2 following appropriately numbered ^{Secretary of the Senate} SECTION to the bill and
3 renumbering subsequent SECTIONS accordingly:

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

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

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

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

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 28, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1949 by Springer (Relating to the annexation of county roads.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code requiring a municipality that proposes to annex a certain area must also annex the entire width of county road and the adjacent right-of-way on both sides of the road. Under the provisions of the bill, if the road annexed is a gravel road, the county would retain control of granting access to the road and its right-of-way from certain property. The bill would permit certain areas of land that do not meet the contingency requirement as put forth by provisions of the bill to be annexed if certain conditions exist.

Local Government Impact

There could be costs with the maintenance of the additional territory annexed under the bill. However, these costs are not anticipated to be significant.

Source Agencies:

LBB Staff: UP, KVe, SZ, SD, EK

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 14, 2015

TO: Honorable Eddie Lucio Jr., Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1949** by Springer (Relating to the annexation of county roads.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code requiring a municipality that proposes to annex a certain area must also annex the entire width of county road and the adjacent right-of-way on both sides of the road. Under the provisions of the bill, if the road annexed is a gravel road, the county would retain control of granting access to the road and its right-of-way from certain property.

Local Government Impact

There could be costs with the maintenance of the additional territory annexed under the bill. However, these costs are not anticipated to be significant.

Source Agencies:

LBB Staff: UP, KVe, SZ, SD, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 28, 2015

TO: Honorable Joe Deshotel, Chair, House Committee on Land & Resource Management

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1949 by Springer (relating to the annexation of county roads.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code requiring a municipality that proposes to annex a certain area must also annex the entire width of county road and the adjacent right-of-way on both sides of the road. Under the provisions of the bill, if the road annexed is a gravel road, the county would retain control of granting access to the road and its right-of-way from certain property.

Local Government Impact

There could be costs with the maintenance of the additional territory annexed under the bill. However, these costs are not anticipated to be significant.

Source Agencies:

LBB Staff: UP, SZ, SD, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 19, 2015

TO: Honorable Joe Deshotel, Chair, House Committee on Land & Resource Management

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1949 by Springer (Relating to the annexation of county roads.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code requiring a municipality that proposes to annex a certain area must also annex the entire width of county road and the adjacent right-of-way on both sides of the road.

Local Government Impact

There could be costs with the maintenance of the additional territory annexed under the bill. However, these costs are not anticipated to be significant.

Source Agencies:

LBB Staff: UP, SZ, SD, EK