

BILL ANALYSIS

H.B. 187
By: Oliverson
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that certain development agreements guaranteeing the continuation of the extraterritorial status of the area subject to the agreement for municipal annexation purposes are being improperly used to extend municipal extraterritorial jurisdiction. H.B. 187 seeks to address this issue by clarifying that the execution of such an agreement does not extend the applicable municipality's extraterritorial jurisdiction.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 187 amends the Local Government Code to establish that the execution of a development agreement made between a municipality and an owner of land appraised as land for agricultural or wildlife management use or as timber land that would guarantee the continuation of the area's extraterritorial status and authorize the enforcement of all municipal regulations and planning authority that do not interfere with the use of the area for agriculture, wildlife management, or timber does not extend the extraterritorial jurisdiction of the municipality that is a party to the agreement. The bill prohibits the consideration of an area subject to such an agreement for the purposes of calculating the width of an area or municipal territory under applicable state law governing municipal annexation.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, December 1, 2017.