

BILL ANALYSIS

Senate Research Center
85R6853 SCL-D

S.B. 715
By: Campbell et al.
Intergovernmental Relations
4/4/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 715 seeks to make municipal annexation a more collaborative process by promoting greater stakeholder involvement between cities and would-be residents.

Under current law, municipal annexation is a cumbersome process that lasts up to four years with little input required from property owners and residents living in an area proposed for annexation. Municipalities may annex areas with a wealthy tax base that require little to no city services while passing over poorer areas in desperate need of services. Private property owners who choose to live miles outside the city limits may be annexed despite expressing opposition to city officials and planners. Cities may also currently annex areas for limited purposes, meaning residents are placed under the jurisdiction of municipal ordinances and regulations despite living outside the municipality and having no elected representation.

S.B. 715 reforms municipal annexation in Texas by making annexation a more democratic process and requiring the consent of the majority of registered voters being annexed—through a petition process if the population is under 200 or through an election if the population is over 200. S.B. 715 eliminates red tape and streamlines voluntary annexation by individual landowners to a matter of weeks when the parties can agree on the provision of services in writing. Finally, S.B. 715 prohibits limited purpose annexation, whereby regulations are imposed on residents living in the extraterritorial jurisdiction of a city without elected representation and without receiving any city services.

As proposed, S.B. 715 amends current law relating to municipal annexation.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 43, Local Government Code, by adding Section 43.003, as follows:

Sec. 43.003. LIMITED PURPOSE ANNEXATION GENERALLY PROHIBITED; EXCEPTION. (a) Prohibits a municipality, beginning September 1, 2017, and except as provided by Section 43.0751 (Strategic Partnerships for Continuation of Certain Districts), from annexing an area for the limited purposes of applying its planning, zoning, health, and safety ordinances in the area.

(b) Provides that this section supersedes any municipal charter provision that conflicts with this section.

SECTION 2. Amends Section 43.021, Local Government Code, to authorize a home-rule municipality to take certain actions that are not inconsistent with the requirements, rather than procedural rules, prescribed by this chapter (Municipal Annexation).

SECTION 3. Transfers Section 43.051, Local Government Code, to Subchapter B, Chapter 43, Local Government Code, redesignates it as Section 43.0211, Local Government Code, and amends it, as follows:

Sec. 43.0211. AUTHORITY TO ANNEX LIMITED TO EXTRATERRITORIAL JURISDICTION. Makes a nonsubstantive change.

SECTION 4. Amends Subchapter B, Chapter 43, Local Government Code, by adding Section 43.0212, as follows:

Sec. 43.0212. AUTHORITY OF MUNICIPALITY TO ANNEX AREA ON REQUEST OF OWNERS. (a) Authorizes a municipality, notwithstanding Subchapter C or C-1, to annex an area if each owner of land in the area requests the annexation.

(b) Requires the governing body of a municipality, if the municipality elects to annex an area under this section, to first negotiate and enter into a written agreement for the provision of services in the area with the owners of land in the area. Provides that the municipality is not required to provide a service that is not included in the agreement.

(c) Requires the governing body of a municipality to conduct at least two public hearings before annexing an area under this section. Requires the hearings to be conducted not less than 10 business days apart. Requires the governing body to provide persons interested in the annexation the opportunity to be heard during the first public hearing. Authorizes the governing body to adopt an ordinance annexing the area during the final public hearing.

SECTION 5. Amends Section 43.0235(a), Local Government Code, to change a reference to subchapter to chapter.

SECTION 6. Amends Section 43.026, Local Government Code, to authorize the governing body of a Type A general-law municipality, notwithstanding Subchapter C or C-1, to annex area that the municipality owns.

SECTION 7. Amends Section 43.027, Local Government Code, to authorize the governing body of a general-law municipality, notwithstanding Subchapter C or C-1, to annex any navigable stream adjacent to the municipality and within the municipality's extraterritorial jurisdiction.

SECTION 8. Amends Section 43.029, Local Government Code, by amending Subsection (c) and adding Subsections (d), (e), (f), and (g), as follows:

(c) Authorizes the board of trustees of a public school occupying the area, notwithstanding Subchapter C or C-1, to petition the governing body of the municipality in writing to annex the area under the procedures provided by this section. Deletes existing text providing that Sections 43.028(c)-(f) apply to the petition and annexation under this section in a certain manner.

(d) Requires the petition to describe the area by metes and bounds and to be acknowledged in the manner required for deeds by each person having an interest in the area.

(e) Requires the governing body, after the 5th day but on or before the 30th day after the date the petition is filed, to hear the petition and the arguments for and against annexation and requires the body to grant or refuse the petition as the body considers appropriate.

(f) Authorizes the governing body to annex the area by ordinance if the governing body grants the petition. Provides that on the effective date of the ordinance, the area becomes a part of the municipality.

(g) Requires a certified copy of the ordinance and a copy or duplicate of the petition, if the petition is granted and the ordinance adopted, to be filed in the office of the county clerk of the county in which the municipality is located.

SECTION 9. Amends Section 43.031, Local Government Code, to authorize municipalities, rather than adjacent municipalities, notwithstanding Subchapter C or C-1, to make mutually agreeable changes in their boundaries of areas that are less than 1,000 feet in width.

SECTION 10. Amends the heading to Subchapter C, Chapter 43, Local Government Code, to read as follows:

SUBCHAPTER C. ANNEXATION OF AREAS WITH A POPULATION OF LESS THAN 200.

SECTION 11. Amends Subchapter C, Chapter 43, Local Government Code, by adding Sections 43.0511 through 43.0517, as follows:

Sec. 43.0511. **AUTHORITY TO ANNEX.** Authorizes a municipality to annex an area with a population of less than 200 only if the municipality obtains consent to annex the area through a petition signed by more than 50 percent of the registered voters of the area; and, if the registered voters of the area do not own more than 50 percent of the land in the area, more than 50 percent of the owners of land in the area.

Sec. 43.0512. **RESOLUTION.** Requires the governing body of the municipality that proposes to annex an area under this subchapter to adopt a resolution that includes certain information relating to the area to be annexed and the services that the municipality will provide after the annexation.

Sec. 43.0513. **NOTICE OF PROPOSED ANNEXATION.** Requires the municipality, not later than the seventh day after the date the governing body of the municipality adopts the resolution under Section 43.0512, to mail each resident in the area proposed to be annexed notification of the proposed annexation that includes certain information relating to the procedures for annexation and the services to be provided by the municipality in the area after annexation.

Sec. 43.0514. **PUBLIC HEARING.** Requires the governing body of a municipality to conduct at least one public hearing on the proposed annexation at which members of the public are given an opportunity to be heard. Requires the governing body to conduct the hearing not earlier than the 21st day and not later than the 30th day after the date the governing body adopts the resolution under Section 43.0512.

Sec. 43.0515. **PETITION.** (a) Authorizes the petition required by Section 43.0511 to be signed only by a registered voter of the area proposed to be annexed or an owner of land in the area. Requires the petition to provide for the person signing to state whether the person is signing as a registered voter of the area, as an owner of land in the area, or both.

(b) Authorizes the municipality to collect signatures on the petition only during the period beginning on the 31st day after the date the governing body of the municipality adopts the resolution under Section 43.0512 and ending on the 90th day after the date of the adoption.

(c) Requires the petition to clearly state that a person signing the petition is consenting to the proposed annexation.

(d) Requires the petition to include a map of and describe the area proposed to be annexed.

(e) Requires the municipality to collect petition signatures in person, except that the municipality is authorized to provide for an owner of land in the area who is not a resident of the area to sign the petition electronically.

(f) Provides that Chapter 277 (Petition Prescribed by Law Outside Code), Election Code, applies to a petition under this section.

Sec. 43.0516. RESULTS OF PETITION. (a) Requires the petition, when the petition period prescribed by Section 43.0515 ends, to be verified by the municipal secretary or other person responsible for verifying signatures. Requires the municipality to notify the residents of the area proposed to be annexed of the results of the petition.

(b) Prohibits the municipality, if the municipality does not obtain the number of signatures on the petition required to annex the area, from annexing the area and from adopting another resolution under Section 43.0512 to annex any part of the area until the first anniversary of the date the petition period ended.

(c) Authorizes the municipality, if the municipality obtains the number of signatures required to annex the area, to annex the area after providing notice under Subsection (a), conducting a public hearing at which members of the public are given an opportunity to be heard, and conducting a final hearing not earlier than the 10th day after the date of the public hearing at which the ordinance annexing the area may be adopted.

Sec. 43.0517. VOTER APPROVAL BY MUNICIPAL RESIDENTS ON PETITION. Prohibits the municipality, if a petition protesting the annexation of an area under this subchapter is signed by a number of registered voters of the municipality proposing the annexation equal to at least 50 percent of the number of voters who voted in the most recent municipal election and is received by the municipal secretary before the date the petition period described by Section 43.0515 ends, from completing the annexation of the area without approval of a majority of the voters of the municipality voting at an election called and held for that purpose.

SECTION 12. Amends the heading to Subchapter C-1, Chapter 43, Local Government Code, to read as follows

SUBCHAPTER C-1. ANNEXATION OF AREAS WITH A POPULATION OF AT LEAST 200.

SECTION 13. Amends Subchapter C-1, Chapter 43, Local Government Code, by adding Sections 43.0611 through 43.0618, as follows:

Sec. 43.0611. AUTHORITY TO ANNEX. Authorizes a municipality to annex an area with a population of 200 or more only if, as applicable, the municipality holds an election in the area proposed to be annexed at which the qualified voters of the area are authorized to vote on the question of the annexation, and a majority of the votes approve the annexation; and if the registered voters of the area do not own more than 50 percent of the land in the area, the municipality obtains the consent to annex the area through a petition signed by more than 50 percent of the owners of land in the area.

Sec. 43.0612. RESOLUTION. Requires the governing body of the municipality that proposes to annex an area under this subchapter to adopt a resolution that includes certain information relating to the area to be annexed and the services that the municipality will provide after the annexation.

Sec. 43.0613. NOTICE OF PROPOSED ANNEXATION. Requires the municipality, not later than the seventh day after the date the governing body of the municipality adopts the resolution under Section 43.0612, to mail each property owner in the area proposed to be annexed notification of the proposed annexation that includes certain information relating to the required public hearing and election, and a description of the services to be provided by the municipality in the area after the annexation.

Sec. 43.0614. PUBLIC HEARINGS. (a) Requires the governing body of a municipality to conduct at least two public hearings on the proposed annexation at which members of the public are given an opportunity to be heard.

(b) Requires the governing body to conduct the first public hearing not earlier than the 21st day and not later than the 30th day after the date the governing body adopts the resolution under Section 43.0612.

(c) Requires the governing body to conduct the second public hearing not earlier than the 31st day and not later than the 90th day after the date the governing body adopts a resolution under Section 43.0612.

Sec. 43.0615. PROPERTY OWNER CONSENT REQUIRED FOR CERTAIN AREAS.

(a) Requires the municipality, if the registered voters in the area proposed to be annexed do not own more than 50 percent of the land in the area, to obtain consent to the annexation through a petition signed by more than 50 percent of the owners of land in the area in addition to the election required by this subchapter.

(b) Requires the municipality to obtain the consent required by this section through the petition process prescribed by Section 43.0515, and requires the petition to be verified in the manner provided by Section 43.0516(a).

Sec. 43.0616. ELECTION. (a) Requires a municipality to order an election on the question of annexing an area to be held on the first uniform election date that falls on or after the 90th day after the date the governing body of the municipality adopts the resolution under Section 43.0612; or the 78th day after the date the petition period to obtain the consent of the owners of land in the area, if that consent is required under Section 43.0615.

(b) Requires an election under this section to be held in the same manner as general elections of the municipality and requires the municipality to pay for the costs of holding the election.

Sec. 43.0617. RESULTS OF ELECTION AND PETITION. (a) Requires the municipality, following an election held under this subchapter, to notify the residents of the area proposed to be annexed of the results of the election, and, if applicable, of the petition required by Section 43.0615.

(b) Prohibits the municipality, if at the election held under this subchapter a majority of qualified voters do not approve the proposed annexation, or if the municipality is required to petition the landowners of the area under Section 43.0615 and does not obtain the required number of signatures, from annexing the area and from adopting another resolution to annex any part of the area until the first anniversary of the date of the adoption of the resolution.

(c) Authorizes the municipality, if at the election under this subchapter a majority of qualified voters approve the proposed annexation, and if the municipality obtains the required petition signatures under Section 43.0615, as applicable, to annex the area after providing notice under Subsection (a), conducting a public hearing at which members of the public are given an opportunity to be heard, and conducting a final hearing not earlier than the 10th day after the date of the first public hearing at which the ordinance annexing the area may be adopted.

Sec. 43.0618. VOTER APPROVAL BY MUNICIPAL RESIDENTS ON PETITION. Prohibits the municipality from completing the annexation of the area without approval of a majority of the voters of the municipality voting at a separate election called for that purpose if a petition protesting the annexation of an area is signed by a number of registered voters of the municipality proposing the annexation equal to at least 50 percent of the number of voters who voted in the most recent municipal election and is received by the municipal secretary before the date the required election is held.

SECTION 14. Amends Section 43.071(e), Local Government Code, to provide that Subsections (b) (relating to a certain prohibition on annexations of area in a water and sewer district) and (c) (relating to annexations subject to Subsection (b) that are exempt from certain provisions), rather than (b)-(d), do not apply to the annexation of certain areas or districts.

SECTION 15. Amends Sections 43.0715(b) and (c), Local Government Code, as follows:

(b) Requires certain municipalities that annex a special district under certain circumstances to pay a certain sum to the district's landowner or developer under the rules and requirements of the Texas Commission on Environmental Quality (TCEQ), rather than the Texas Natural Resource Conservation Commission (TNRCC). Deletes existing text relating to defining the timeliness of a payment for an annexation that is subject to preclearance by a federal authority.

(c) Requires a municipality to initiate and complete a report for each developer in accordance with the format approved by TCEQ, rather than TNRCC, at the time notice of the municipality's intent to annex the land within the district is first published. Deletes existing text relating to the first publishing of the intent to annex under Section 43.052 (Municipal Annexation Plan Required). Makes a conforming change.

SECTION 16. Amends Sections 43.072(b) and (d), Local Government Code, as follows:

(b) Authorizes a home-rule municipality having a common boundary with a district subject to this section to annex the area of the district if:

(1) the annexation complies with the requirements of Subchapter C or C-1, as applicable, rather than is approved by a majority of the qualified voters who vote on the question at an election held under this section;

(2) the annexation is completed before the date that is one year after the date the petition described by Section 43.0515 ends or the date of the election under Section 43.0616, as applicable; and

(3) makes no changes to this subdivision.

(d) Deletes existing Subdivision (2) (relating to exempting provisions that prohibit annexation of an area narrower than a certain width), and redesignates existing Subdivision (3) as Subdivision (2). Makes no further changes to this subdivision.

SECTION 17. Amends Sections 43.0751(b), (d), and (h), Local Government Code, as follows:

(b) Authorizes, rather than requires, the governing body, on written request from a district located in the municipality's extraterritorial jurisdiction, rather than included in the municipality's annexation plan under Section 43.052, to negotiate and enter into a written strategic partnership agreement with the district. Deletes existing Subdivisions (1) and (2) relating to prohibited and required actions for a district included in an annexation plan under Section 43.052.

(d) Requires notice of public hearings under this subsection to be published in a newspaper of general circulation in the municipality and in the district, and must be published at least once on or after the 20th day before the date of each hearing. Sets forth certain formatting requirements for the notice. Deletes existing text requiring the notice to be in the format prescribed by Section 43.123(b) (relating to the publication of the notice).

(h) Requires certain land, on the full-purpose annexation conversion date set forth in the strategic partnership agreement under Subsection (f)(5) (relating to authorizing a strategic partnership agreement to provide for certain full-purpose annexation provisions), rather than Subsection (f)(5)(A), to be deemed within the full-purpose boundary limits of the

municipality without the need for further action by the governing body of the municipality. Deletes existing text prohibiting land annexed for a limited or full purpose under this section from being included in calculations prescribed by Section 43.055(a) (relating to prohibiting a municipality from annexing greater than a certain area).

SECTION 18. Amends Section 43.07515(a), Local Government Code, to prohibit a municipality from regulating under Section 43.0751, rather than Section 43.0751 or 43.0752, the sale, use, storage, or transportation of fireworks outside of the municipality's boundaries.

SECTION 19. Amends Section 43.101(d), Local Government Code, as follows:

(d) Authorizes a municipality to annex an area even if part of the area is outside the municipality's extraterritorial jurisdiction. Deletes existing text authorizing annexation if the area is narrower than the minimum width prescribed by Section 43.054 (Width Requirements) and providing that Section 43.055 (Maximum Amount of Annexation Each Year) does not apply to the annexation.

SECTION 20. Amends Section 43.102(d), Local Government Code, as follows:

(d) Authorizes a municipality to annex an area even if the area is outside the municipality's extraterritorial jurisdiction or is in another municipality's extraterritorial jurisdiction. Deletes existing text authorizing annexation if the area is narrower than the minimum width prescribed by Section 43.054 and providing that Section 43.055 does not apply to the annexation.

SECTION 21. Amends Section 43.1025(c), Local Government Code, as follows:

(c) Prohibits annexation of the area described by Subsection (b) (relating to authorizing a municipality to annex unincorporated areas of certain airports) from occurring unless each municipality in whose extraterritorial jurisdiction the area may be located gives its consent to the annexation, and reduces its extraterritorial jurisdiction over the area. Deletes existing text authorizing the annexation without the consent of the owners or residents of the area under certain circumstances.

SECTION 22. Amends Subchapter F, Chapter 43, Local Government Code, by adding Section 43.1211, as follows:

Sec. 43.1211. APPLICABILITY. Provides that this subchapter applies to an area that was annexed for a limited purpose as authorized before September 1, 2017.

SECTION 23. Amends Section 43.127(a), Local Government Code, as follows:

(a) Requires the municipality to annex the area for full purposes on or before the date prescribed by the regulatory plan prepared for the limited purpose area, rather than the date prescribed under Section 43.123(d)(2) (relating to a date for annexation contained in a regulatory plan). Deletes existing text providing, except as provided under Section 43.123(e) (relating to certain areas where the deadline imposed in Section 43.123(d)(2) do not apply). Deletes existing text authorizing the requirement of this section to be waived and the date for full-purpose annexation postponed by a certain written agreement.

SECTION 24. Amends Sections 43.141(a) and (b) as follows:

(a) Authorizes a majority of the qualified voters of an annexed area to petition the governing body of the municipality to disannex the area if the municipality fails to provide services or to cause services to be provided to the area as described by the written agreement under Section 43.0212 or the resolution under Section 43.0512 or 43.0612, as applicable, rather than a failure to provide services within the period specified by Section 43.056 (Provision of Services to Annexed Area) or by the service plan prepared for the area.

(b) Requires the district court to enter an order disannexing the area if the court finds that the municipality failed to perform in good faith, rather than the municipality failed to perform its obligations in accordance with the service plan or failed to perform in good faith.

SECTION 25. Amends Section 43.201(2), Local Government Code, to redefine "limited-purpose annexation."

SECTION 26. Amends Section 43.203(a), Local Government Code, as follows:

(a) Provides that this section applies only to the governing body of a district that by resolution petitioned a municipality to alter the annexation status of land in the district from full-purpose annexation to limited-purpose annexation and before September 1, 2017, entered into an agreement to alter the status of annexation as provided by this section; or had its status automatically altered by operation of Subsection (c) (relating to certain provisions that apply if a certain agreement is not reached after a municipality receives a petition from a district). Deletes existing text authorizing the governing body of a district to petition a municipality to alter annexation status by resolution.

SECTION 27. Amends Section 43.905(a), Local Government Code, as follows:

(a) Requires a municipality that proposes to annex an area to provide written notice of the proposed annexation to each public school district located in the proposed area within the period prescribed for providing, rather than publishing, the notice of the first hearing under Section 43.0212, 43.0513, or 43.0613, as applicable, rather than under Section 43.0561 (Annexation Hearing Requirements) or 43.063 (Annexation Hearing Requirements).

SECTION 28. Amends Section 775.0754(d), Health and Safety Code, to provide that to the extent of any conflict between this subsection and any other law, rather than between this subsection and Section 43.056, Local Government Code, or any other law, this subsection controls.

SECTION 29. Amends Section 3833.209(e), Special District Local Laws Code, to provide that a negotiated service plan binds the city and the developer and certain heirs or successors of the developer for a certain period provided by that section. for the period provided by Section 43.056(1), Local Government Code, as that section existed on January 1, 2017.

SECTION 30. Amends Section 8489.109, Special District Local Laws Code, to provide that for the purposes of any law, rather than for the purposes of Section 43.021(2) (relating to authorization for extension and annexation for home-rule municipalities), Local Government Code, or other law, certain areas are considered adjacent to a municipality under certain circumstances.

SECTION 31. Amends Section 9038.110, Special District Local Laws Code, to make conforming changes.

SECTION 32. Amends Section 9039.110, Special District Local Laws Code, to make conforming changes.

SECTION 33. (a) Repealers: Sections 42.0411 (Municipal Incorporation in Extraterritorial Jurisdiction of Certain Municipalities), 43.022 (Voter Approval of Annexation by Home-Rule Municipality Required Under Certain Circumstances), 43.023 (Authority of General-Law Municipality With Population of More than 5,000 to Annex Area on Petition and Election of Area Voters), 43.024 (Authority of Type A General-Law Municipality to Annex Area on Request of Area Voters), 43.025 (Authority of Type B General-Law Municipality to Annex Area on Request of Area Voters), 43.028 (Authority of Municipalities to Annex Sparsely Occupied Area on Petition of Area Landowners), 43.030 (Authority of Municipality With Population of 74,000 to 99,700 in Urban County to Annex Small, Surrounded General-Law Municipality),

43.032 (Authority of Certain Type-A General-Law Municipalities to Annex an Area Upon Petition by Owners), 43.033 (Authority of General-Law Municipality to Annex Area), 43.034 (Authority of General-Law Municipality to Annex Area; Certain Municipalities), 43.035(c) (relating to certain areas considered adjacent to municipalities), 43.036 (Transfer of Area and Change in Boundaries Between Certain Municipalities), 43.052 (Municipal Annexation Plan Required), 43.053 (Inventory of Services and Facilities Required), 43.054 (Width Requirements), 43.0545 (Annexation of Certain Adjacent Areas), 43.0546 (Annexation of Certain Adjacent Areas by Populous Municipalities), 43.055 (Maximum Amount of Annexation Each Year), 43.056 (Provision of Services to Annexed Area), 43.0561 (Annexation Hearing Requirements), 43.0562 (Negotiations Required), 43.0563 (Contracts for Provision of Services in Lieu of Annexation), 43.0564 (Arbitration Regarding Negotiations for Services), 43.0565 (Arbitration Regarding Enforcement of Service Plan), 43.0567 (Provision of Water or Sewage Service in Populous Municipality), 43.057 (Annexation That Surrounds Area: Findings Required), 43.061 (Applicability), 43.062 (Procedures Applicable), 43.063 (Annexation Hearing Requirements), 43.064 (Period for Completion of Annexation; Effective Date), 43.065 (Provision of Services to Annexed Area), 43.071(d) (relating to the inclusion of area in computing yearly total a municipality may annex), (f) (relating to the annexation of certain water or sewer districts), and (g) (relating to the annexation of certain water or sewer districts), 43.072(c) (relating to the computation of yearly annexation totals), (e) (relating to districts composed of two or more tracts), (g) (relating to the authorization of the district's board of directors to order elections), (h) (relating to the date of the election), (i) (relating to the requirement to give notice of the election), (j) (relating to certain requirements after declaring election results), (k) (relating to a prohibition on annexation while an election is pending), (l) (relating to an extension of annexation prohibition), and (m) (relating to a limit on elections during a certain period), 43.0751(o) (relating to arbitration between municipalities and districts), 43.0752 (Arbitration of Strategic Partnership Agreement), 43.101(c) (relating to the annexation of certain areas without the consent of owners or residents), 43.102(c) (relating to the annexation of certain areas without the consent of owners or residents), 43.1025(e) (relating to annexed territory that is not contiguous) and (g) (relating to the annexation of areas narrower than certain widths), 43.103 (Annexation of Streets, Highways, and Other Ways by General-Law Municipality), 43.105 (Annexation of Streets by Certain Small General-Law Municipalities), 43.121 (Authority of Populous Home-Rule Municipalities to Annex for Limited Purposes; Other Authority Not Affected), 43.122 (Certain Strip Annexations Prohibited), 43.123 (Report Regarding Planning Study and Regulatory Plan), 43.124 (Public Hearings), 43.125 (Adoption of Regulatory Plan), 43.126 (Period for Completion of Annexation), 43.129 (Consensual Annexation), 43.132 (Municipal Incorporation in Annexed Area), 43.147 (Width Requirement for Disannexation), and 43.906 (Voting Rights After Annexation), Local Government Code.

(b) Repealer: Subchapter Y (Annexation and Incorporation Procedures for Certain Unincorporated Communities in Certain Counties), Chapter 43 (Municipal Annexation), Local Government Code.

(c) Repealers: Sections 8374.252(a) (relating to certain sections that do not apply to certain annexations of districts), 8375.252(a) (relating to certain sections that do not apply to certain annexations of districts), 8376.252(a) (relating to certain sections that do not apply to certain annexations of districts), 8377.252(a) (relating to certain sections that do not apply to certain annexations of districts), 8378.252(a) (relating to certain sections that do not apply to certain annexations of districts), 8382.252(a) (relating to certain sections that do not apply to certain annexations of districts), 8383.252(a) (relating to certain sections that do not apply to certain annexations of districts), 8384.252(a) (relating to certain sections that do not apply to certain annexations of districts), 8385.252(a) (relating to certain sections that do not apply to certain annexations of districts), and 8477.302(a) (relating to certain sections that do not apply to certain annexations of districts), Special District Local Laws Code.

(d) Repealer: Section 5.701(n)(6) (relating to penalties for certain municipalities that do not provide services), Water Code.

SECTION 34. Provides that the changes in law made by this Act apply only to the annexation of an area that is not final on the effective date of this act. Provides that an annexation of an area

that was final before the effective date of this Act is governed by those portions of Chapter 43, Local Government Code, that relate to post-annexation procedures and requirements in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 35. Effective date: September 1, 2017.