

By: Lucio

S.B. No. 471

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the inclusion of certain areas in a municipal
3 annexation plan.

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

5 SECTION 1. Section 43.052(h), Local Government Code, is
6 amended to read as follows:

7 (h) This section does not apply to an area proposed for
8 annexation if:

9 (1) the area contains fewer than 50 [~~100~~] separate
10 tracts of land on which one or more residential dwellings are
11 located on each tract;

12 (2) the area will be annexed by petition of more than
13 50 percent of the real property owners in the area proposed for
14 annexation or by vote or petition of the qualified voters or real
15 property owners as provided by Subchapter B;

16 (3) the area is or was the subject of:

17 (A) an industrial district contract under
18 Section 42.044; or

19 (B) a strategic partnership agreement under
20 Section 43.0751;

21 (4) the area is located in a colonia, as that term is
22 defined by Section 2306.581, Government Code;

23 (5) the area is annexed under Section 43.026, 43.027,
24 43.029, or 43.031;

1 (6) the area is located completely within the
2 boundaries of a closed military installation; or

3 (7) the municipality determines that the annexation of
4 the area is necessary to protect the area proposed for annexation or
5 the municipality from:

6 (A) imminent destruction of property or injury to
7 persons; or

8 (B) a condition or use that constitutes a public
9 or private nuisance as defined by background principles of nuisance
10 and property law of this state.

11 SECTION 2. The change in law made by this Act to Section
12 [43.052\(h\)](#), Local Government Code, applies only to the annexation of
13 an area for which all parts of the statutory annexation process are
14 begun on or after the effective date of this Act. The annexation of
15 an area for which any part of the statutory annexation process was
16 begun before the effective date of this Act is governed by the law
17 in effect immediately before the effective date of this Act, and the
18 former law is continued in effect for that purpose.

19 SECTION 3. This Act takes effect September 1, 2017.