By:  Campbell S.B. No. 422

(In the Senate - Filed January 23, 2019; February 14, 2019, read first time and referred to Committee on Intergovernmental Relations; April 3, 2019, reported favorably by the following vote: Yeas 6, Nays 0; April 3, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Lucio                X

Schwertner           X

Alvarado             X

Campbell             X

Fallon               X

Menéndez                       X

Nichols              X

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality to impose a fine or fee in certain areas in the municipality's extraterritorial jurisdiction.

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

SECTION 1.  Subchapter Z, Chapter 42, Local Government Code, is amended by adding Section 42.9025 to read as follows:

Sec. 42.9025.  RESTRICTION ON IMPOSING FEE OR FINE IN CERTAIN AREAS IN EXTRATERRITORIAL JURISDICTION. (a)  This section applies only to an area located in a municipality's extraterritorial jurisdiction and:

(1)  that has been disannexed from the municipality under Subchapter G, Chapter 43; or

(2)  for which the municipality has attempted and failed to obtain consent for annexation under Subchapter C-4 or C-5, Chapter 43.

(b)  Notwithstanding any other law, a municipality may not impose under a municipal ordinance a fine or fee on a person on the basis of:

(1)  an activity that occurs wholly in an area described by Subsection (a); or

(2)  the management or ownership of property located wholly in an area described by Subsection (a).

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

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