

By: Campbell

S.B. No. 422

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of a municipality to impose a fine or fee  
3 in certain areas in the municipality's extraterritorial  
4 jurisdiction.

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

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

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

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

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

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

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

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

24 SECTION 2. This Act takes effect immediately if it receives

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