

By: Campbell

S.B. No. 1449

A BILL TO BE ENTITLED

AN ACT

relating to retaliation for municipal annexation disapproval.

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

SECTION 1. Section 43.0688, Local Government Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The disapproval of the proposed annexation of an area under this subchapter does not affect any existing legal obligation of the municipality proposing the annexation to continue to provide governmental services in the area, including water or wastewater services, regardless of whether the municipality holds a certificate of convenience and necessity to serve the area.

(c) A municipality that makes a wholesale sale of water to a special district operating under Chapter 36 or Title 4, Water Code, may not charge rates for the water that are higher than rates charged in other similarly situated areas solely because the district is wholly or partly located in an area that disapproved of a proposed annexation under this subchapter.

SECTION 2. Section 43.0699, Local Government Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The disapproval of the proposed annexation of an area under this subchapter does not affect any existing legal obligation of the municipality proposing the annexation to continue to provide

1 governmental services in the area, including water or wastewater  
2 services, regardless of whether the municipality holds a  
3 certificate of convenience and necessity to serve the area.

4 (c) A municipality that makes a wholesale sale of water to a  
5 special district operating under Chapter 36 or Title 4, Water Code,  
6 may not charge rates for the water that are higher than rates  
7 charged in other similarly situated areas solely because the  
8 district is wholly or partly located in an area that disapproved of  
9 a proposed annexation under this subchapter.

10 SECTION 3. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2019.