

BILL ANALYSIS

S.B. 1168
By: Campbell
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There are concerns that certain municipalities may impose fines and fees on residents in their extraterritorial jurisdiction even if the area has been disannexed or an annexation attempt has failed in an election. S.B. 1168 seeks to promote the rights of citizens and protect the will of voters by prohibiting municipalities from imposing fines and fees in certain extraterritorial jurisdiction areas.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1168 amends the Local Government Code to prohibit a municipality from imposing under a municipal ordinance a fine or fee on a person on the basis of the following:

- an activity that occurs wholly in an area that is located in a municipality's extraterritorial jurisdiction and that has been disannexed from the municipality or for which the municipality has attempted and failed to obtain consent for annexation by petition or election as applicable; or
- the management or ownership of property located wholly in such an area.

The bill does not limit a municipality, including a municipally owned retail water, wastewater, or drainage utility, from imposing in such an area a fine or fee, including through the adoption and enforcement of rates, for water, sewer, drainage, or other related utility services, and does not apply to development or redevelopment in an area in which an election was held relating to the annexation of an area near a military base.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.