

BILL ANALYSIS

S.B. 1338
By: Zaffirini
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding certain notification procedures relating to municipal annexation. It has been suggested that current procedures provide an insufficient amount of transparency with regard to a property owner's options after receiving an offer, leading some property owners to believe that they have very limited options in these scenarios. S.B. 1338 seeks to remedy this situation by requiring municipalities to provide written disclosures to candidates for annexation which include plain-language descriptions of annexation procedures.

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. 1338 amends the Local Government Code to require a municipality, at the time it makes an offer to a landowner to enter into an agreement in which the landowner consents to annexation or makes an offer to an owner of land located in the municipality's extraterritorial jurisdiction to enter into a development agreement, to provide the landowner with a written disclosure that includes the following information:

- a statement that the landowner is not required to enter into the agreement;
- the authority under which the municipality may annex the land with references to relevant law;
- a plain-language description of the annexation procedures applicable to the land; and
- whether the procedures require the landowner's consent.

An agreement for which the disclosure is not provided is void.

EFFECTIVE DATE

September 1, 2021.