

## **BILL ANALYSIS**

Senate Research Center  
87R11852 SCL-D

S.B. 1499  
By: Buckingham  
Local Government  
4/12/2021  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Since forcible annexation ended in 2019 after Governor Abbott signed H.B. 347 into law, many Texans were left without recourse after they were annexed without their consent and have been stuck with higher utility fees and inadequate services.

The Lost Creek neighborhood was forcibly annexed by the City of Austin in 2015 and has since seen a drop in the quality of services while facing a surge in crime and increased utility fees. The neighborhood has resorted to funding off-duty sheriff patrols due to the city's unwillingness to keep the neighborhood safe. Recently, fire service to the area has decreased even though Lost Creek is one of the largest wildfire risk areas in the region. The City of Austin's fire plan currently prevents the Westlake Fire Department from safely servicing the neighborhood even though there is a station across the street from the neighborhood. Additionally, Lost Creek residents now pay three times more for trash and recycling yet the frequency of pick-ups has been reduced by half.

S.B. 1499 would allow for the Lost Creek neighborhood to formally disannex from the City of Austin.

As proposed, S.B. 1499 amends current law relating to the municipal disannexation of certain areas formerly designated as a census designated place.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter G, Chapter 43, Local Government Code, by adding Section 43.149, as follows:

Sec. 43.149. DISANNEXATION OF CERTAIN ANNEXED AREAS FORMERLY DESIGNATED AS CENSUS DESIGNATED PLACE. (a) Provides that this section applies only to an annexed area that:

- (1) contains an access point to a greenbelt and at least 1,200 single-family homes;
- (2) is separated from two municipalities other than the municipality in which the area is located only by a highway; and
- (3) before annexation was part of a single census designated place, and was served by a municipal utility district that owned a water treatment and storage facility.

(b) Requires a municipality to disannex an area described by Subsection (a).

(c) Requires the municipality, if a water treatment and storage facility described by Subsection (a)(3) was transferred to the municipality during annexation, to retain ownership of the facility after disannexation under this section.

SECTION 2. Effective date: upon passage or September 1, 2021.