By:  Zaffirini S.B. No. 1338

(In the Senate - Filed March 10, 2021; March 18, 2021, read first time and referred to Committee on Local Government; April 8, 2021, reported favorably by the following vote: Yeas 9, Nays 0; April 8, 2021, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Bettencourt       X

Menéndez          X

Eckhardt          X

Gutierrez         X

Hall              X

Nichols           X

Paxton            X

Springer          X

Zaffirini         X

A BILL TO BE ENTITLED

AN ACT

relating to disclosure requirements for agreements consenting to municipal annexation.

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

SECTION 1.  Subchapter A, Chapter 43, Local Government Code, is amended by adding Section 43.004 to read as follows:

Sec. 43.004.  REQUIRED DISCLOSURE BEFORE ANNEXATION AGREEMENT. (a) At the time a municipality makes an offer to a landowner to enter into an agreement in which the landowner consents to annexation, the municipality must provide the landowner with the written disclosure described by Section 212.172(b-1).

(b)  An annexation agreement for which a disclosure is not provided in accordance with Subsection (a) is void.

SECTION 2.  Section 212.172, Local Government Code, is amended by adding Subsections (b-1) and (b-2) to read as follows:

(b-1)  At the time a municipality makes an offer to a landowner to enter into an agreement under this subchapter, the municipality must provide the landowner with a written disclosure that includes:

(1)  a statement that the landowner is not required to enter into the agreement;

(2)  the authority under which the municipality may annex the land with references to relevant law;

(3)  a plain-language description of the annexation procedures applicable to the land; and

(4)  whether the procedures require the landowner's consent.

(b-2)  An agreement for which a disclosure is not provided in accordance with Subsection (b-1) is void.

SECTION 3.  This Act takes effect September 1, 2021.

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