By:  Buckingham S.B. No. 1499

(In the Senate - Filed March 11, 2021; March 24, 2021, read first time and referred to Committee on Local Government; April 21, 2021, reported adversely, with favorable Committee Substitute by the following vote: Yeas 5, Nays 4; April 21, 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

COMMITTEE SUBSTITUTE FOR S.B. No. 1499 By:  Hall

A BILL TO BE ENTITLED

AN ACT

relating to the municipal disannexation of certain areas formerly designated as a census designated place.

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

SECTION 1.  Subchapter G, Chapter 43, Local Government Code, is amended by adding Section 43.149 to read as follows:

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

(1)  contains:

(A)  an access point to a greenbelt; and

(B)  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:

(A)  was part of a single census designated place; and

(B)  was served by a municipal utility district that owned a water treatment and storage facility.

(b)  A municipality shall disannex an area described by Subsection (a), including residential and commercial property in the area.

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

(d)  After an area is disannexed under this section:

(1)  a special district located in and serving the area may be dissolved only if the members of the governing body of the district elect to dissolve the district after the disannexation; and

(2)  an emergency services district that is adjacent to the area shall provide services to the area.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

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