

By: Bell of Montgomery

H.B. No. 3732

A BILL TO BE ENTITLED

AN ACT

relating to the release and inclusion of extraterritorial jurisdiction by a municipality involving certain areas.

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

SECTION 1. Subchapter B, Chapter 42, Local Government Code, is amended by adding Section 42.0253 to read as follows:

Sec. 42.0253. RELEASE AND INCLUSION OF EXTRATERRITORIAL JURISDICTION: CERTAIN AREAS. (a) This section applies only to an area that is located in:

(1) the extraterritorial jurisdiction of a municipality; and

(2) a county with a population of less than 75,000 that is adjacent to three counties with populations of more than 450,000.

(b) A majority of the registered voters in an area subject to this section may petition the municipality to release the area from the municipality's extraterritorial jurisdiction. The petition must be filed with the secretary or clerk of the municipality.

(c) Not later than the 10th day after the date the secretary or clerk receives a petition under Subsection (b), the secretary or clerk shall determine whether the petition is valid. If the petition is determined valid, the governing body of the municipality shall immediately enter in the minutes or records of

1 the municipality an order releasing the area from the
2 municipality's extraterritorial jurisdiction.

3 (d) An area released under Subsection (c) becomes an
4 unincorporated area of the county. A municipality may include the
5 area in the municipality's extraterritorial jurisdiction if:

6 (1) the municipality is otherwise eligible to include
7 the area in its extraterritorial jurisdiction under this chapter;
8 and

9 (2) the municipality receives a petition signed by a
10 majority of the registered voters of the area requesting inclusion.

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