

## **BILL ANALYSIS**

Senate Research Center

H.B. 2956  
By: Shine (Flores)  
Local Government  
5/15/2023  
Engrossed

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

Current law does not expressly allow a municipality to annex an area within its extraterritorial jurisdiction if the area is separated by a railroad. In certain areas of Texas, a railroad may create an artificial boundary that precludes the annexation of land into the municipality, even if the owner of the land is in favor of the annexation.

The purpose of H.B. 2956 is to authorize a municipality that is annexing an area to also annex an additional area adjacent to a right-of-way of a railway line, spur, or other railroad property under certain conditions.

#### Bill Provisions:

- Allows a municipality to annex an additional area adjacent to a right-of-way of a railway line, spur, or other railroad property that was contiguous and ran parallel to its boundaries and is contiguous to the initial area being annexed under certain annexing provisions (landowner request, petition, or election).
- Provides that an area adjacent or contiguous to the initial area being annexed are to be considered adjacent and contiguous to the annexing municipality. Certain width requirements for annexation do not apply to the additional area being annexed under the bill.

#### Support:

- City of Temple
- American Planning Association - Texas Chapter

H.B. 2956 amends current law relating to municipal annexation of an area adjacent to contiguous or connecting railroad rights-of-way.

### **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 E, Chapter 43, Local Government Code, by adding Section 43.1057, as follows:

Sec. 43.1057. ANNEXATION OF AREA ADJACENT TO CONTIGUOUS OR CONNECTING RAILROAD RIGHT-OF-WAY. (a) Authorizes a municipality that is annexing an area under certain subchapters, notwithstanding any other law, to also annex with the initial area an additional area if:

(1) the area is adjacent to a right-of-way of a railway line, spur, or other railroad property that is:

(A) contiguous and runs parallel to the municipality's boundaries;  
and

(B) contiguous to the area being annexed under certain subchapters; and

(2) each owner of the area agrees to the annexation by the municipality.

(b) Provides that an area adjacent or contiguous to the initial area being annexed under Subsection (a), for purposes of Subsection (a) or other law with a municipal boundary contiguous requirement, including a municipal charter or ordinance, is considered adjacent and contiguous to the annexing municipality.

(c) Provides that Section 43.054 (Width Requirements) does not apply to the annexation under this section of the additional area described by Subsection (a).

SECTION 2. Effective date: upon passage or September 1, 2023.