

BILL ANALYSIS

Senate Research Center

H.B. 4559
By: Darby (Huffman)
Redistricting, Special
5/1/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many statutes are limited in their application to a certain class of political subdivisions by means of a population bracket that establishes an upper or lower limit or both for the target class of political subdivision. A reference in a statute to the population of a political subdivision means the population according to the most recent federal census. Therefore, as population data changes with the release of each federal census, the political subdivision for which a population bracket was designed may no longer be in the bracket. It becomes necessary, following each federal census, to examine each population bracket and, if necessary, to take action to update the bracket to ensure that statutes continue to apply as originally enacted.

Ordinarily, population brackets are updated in the regular session immediately following the publication of the census. Because of the delay in the release of the 2020 census data, the legislature was unable to pass the needed legislation in the 2021 regular session. Instead, the 87th Legislature enacted legislation to provide that the 2010 federal census continues to apply with respect to a statute that applies to a political subdivision having a certain population according to the most recent federal census until September 1, 2023.

The purpose of H.B. 4559 is to take into account the new census data contained in the 2020 federal census and to update population brackets as necessary so that the statutes using those brackets continue to apply to the political subdivisions for which the brackets were intended.

H.B. 4559 amends current law relating to the application of statutes that classify political subdivisions according to population.

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 Section 147.003(a), Agriculture Code, as follows:

- (a) Provides that a person pursuing the business of selling mules, horses, jacks, or jennets in a county with a population of not less than 2.1 million nor more than 2.2 million, rather than not less than 1.8 million nor more than 1.9 million, is not subject to Chapter 147 (Livestock Commission Merchants) as a livestock auction commission merchant.

SECTION 2. Amends Section 148.001, Agriculture Code, to redefine "slaughterer."

SECTION 3. Amends Section 109.57(e), Alcoholic Beverage Code, as follows:

- (e) Authorizes a municipality located in a county that has a population of 2.2 million or more and that is adjacent to a county with a population of more than 850,000 or a municipality located in a county with a population of 850,000 or more, rather than more than 600,000 or a municipality located in a county with a population of 600,000 or more, and that is adjacent to a county with a population of 2.2 million or more to regulate, in a

manner not otherwise prohibited by law, the location of an establishment issued a permit under Chapter 32 (Private Club Registration Permit) if certain criteria are met.

SECTION 4. Amends Section 251.726(a), Alcoholic Beverage Code, as follows:

(a) Provides that Section 251.726 (Change of Status for Territory Annexed or Owned by Certain Municipalities) applies only to a municipality that has within its boundaries all or part of an international airport operated jointly by two municipalities and:

(1) that is:

(A) partially located in three counties, two of which have a population of 2.1 million, rather than 1.8 million, or more; and

(B) primarily located in a county with a population of 2.1 million, rather than 1.8 million, or more; or

(2) that meets certain criteria, including being partially located in five counties, one of which meets certain requirements, including having a population of 2.1 million, rather than 1.8 million, or more.

SECTION 5. Amends Section 251.727(a), Alcoholic Beverage Code, as follows:

(a) Provides that Section 251.727 (Change of Status for Territory Annexed by Municipalities in Certain Counties) applies only to certain entities, including a municipality that has a population of more than 5,000 and less than 5,500, rather than more than 1,000 and less than 3,000.

SECTION 6. Amends Section 251.742(b), Alcoholic Beverage Code, as follows:

(b) Provides that Section 251.742 (Municipal Alcoholic Beverage Zone) applies only to a municipality that meets certain criteria, including being located in two counties one of which meets certain requirements, including containing a municipality in which at least 85 percent of the county's population resides. Makes nonsubstantive changes.

SECTION 7. Amends Article 2.21(g), Code of Criminal Procedure, as follows:

(g) Requires a clerk in a county with a population of less than 2.5 million, rather than two million, to provide written notice by mail to the attorney representing the state in the case and the attorney representing the defendant before disposing of an eligible exhibit.

SECTION 8. Amends Article 45.014(d), Code of Criminal Procedure, as follows:

(d) Prohibits a justice or judge, in a county with a population of more than 2.5 million, rather than two million, that does not have a county attorney, from issuing a certain warrant, unless the district attorney has approved the complaint or affidavit on which the warrant is based.

SECTION 9. Amends Article 45.019(g), Code of Criminal Procedure, as follows:

(g) Requires that a complaint for a certain offense, in a county with a population of more than 2.5 million, rather than two million, that does not have a county attorney, be approved by the district attorney, regardless of whether certain criteria are met.

SECTION 10. Amends Article 46B.084(a)(2), Code of Criminal Procedure, as follows:

(2) Requires the court, notwithstanding Subdivision (1) (relating to requiring the court, not later than the next business day following the return of a defendant to the court, to notify the attorney representing the state and the attorney for the defendant regarding the return), in a county with a population of less than 1.2 million, rather than one million, or

in a county with a population of four million or more, as soon as practicable following the date of the defendant's return to the court, to provide the notice required by that subdivision to the attorney representing the state and the attorney for the defendant, and requires the attorney for the defendant to meet and confer with the defendant as soon as practicable after the date of receipt of that notice.

SECTION 11. Amends Article 46B.084(a-1)(2), Code of Criminal Procedure, to make a conforming change.

SECTION 12. Amends Article 46B.084(d)(2), Code of Criminal Procedure, to make a conforming change.

SECTION 13. Amends Section 1, Article 49.25, Code of Criminal Procedure, as follows:

Sec. 1. OFFICE AUTHORIZED. Requires the commissioners court of any county having a population of more than 2.5 million, rather than more than two million, subject to the provisions of Article 49.25 (Medical Examiners), to establish and maintain the office of medical examiner, and authorizes the commissioners court of any county to establish and provide for the maintenance of the office of medical examiner.

SECTION 14. Amends Articles 102.014(a), (b), (f), and (g), Code of Criminal Procedure, as follows:

(a) Requires the governing body of a municipality with a population greater than 1.3 million, rather than greater than 850,000, according to the most recent federal decennial census that has adopted an ordinance, regulation, or order regulating the stopping, standing, or parking of vehicles as allowed by certain statutes, to by order assess on each parking violation a fine of not less than \$2 and not to exceed \$5.

(b), (f), and (g) Makes conforming changes to these subsections.

SECTION 15. Amends Section 11.0581(a), Education Code, as follows:

(a) Requires that an election for trustees of an independent school district be held on the same date as:

(1)-(2) makes no changes to these subdivisions;

(3) the election for the members of the governing body of a hospital district, if the school district:

(A) is wholly or partly located in a county with a population of less than 50,000, rather than less than 40,000, that is adjacent to a county with a population of more than three million; and

(B) makes no changes to this paragraph; or

(4) makes no changes to this subdivision.

SECTION 16. Amends Section 11.065(a), Education Code, as follows:

(a) Provides that certain statutes do not apply to the board of trustees of a school district if:

(1) the district's central administrative office is located in a county with a population of more than 2.5 million, rather than more than two million; and

(2) makes no changes to this subdivision.

SECTION 17. Amends Section 11.151(f), Education Code, as follows:

(f) Provides that for purposes of Section 11.151 (In General), a county board of education, as defined by a board of county school trustees, and office of county school superintendent in a county with a population of 2.5 million or more, rather than 2.2 million or more, and that is adjacent to a county with a population of more than one million, rather than more than 800,000, are included within the definition of a school district and subject to the oversight of the Texas Education Agency.

SECTION 18. Amends Section 25.093(b), Education Code, as follows:

(b) Requires the attendance officer or other appropriate school official to file a complaint against the parent in:

(1) the constitutional county court of the county in which the parent resides or in which the school is located, if the county has a population of 2.1 million or more, rather than 1.75 million or more; or

(2)-(3) makes no changes to these subdivisions.

SECTION 19. Amends Sections 37.011(a-2) and (a-3), Education Code, as follows:

(a-2) Provides that for purposes of certain statutes, a county with a population greater than 125,000 is considered to be a county with a population of 125,000 or less if the county:

(1) has a population of 195,000 or less, rather than 180,000 or less; and

(2)-(3) makes no changes to these subdivisions.

(a-3) Provides that for purposes of certain statutes, a county with a population greater than 125,000 is considered to be a county with a population of 125,000 or less if the county:

(1) has a population of more than 200,000 and less than 233,500, rather than more than 200,000 and less than 220,000; and

(2)-(3) makes no changes to these subdivisions.

SECTION 20. Amends Section 38.007(b), Education Code, as follows:

(b) Authorizes the board of trustees of a school district, if a majority of the area of a district is located in a municipality with a population of 1.3 million or more, rather than 900,000 or more, to petition the commissioners court of the county in which the district is located or the governing board of an incorporated city or town in which the district is located to take a certain action.

SECTION 21. Amends Section 45.105(e), Education Code, as follows:

(e) Authorizes the governing body of an independent school district that governs a junior college district under Subchapter B (Independent School District or City Junior College), Chapter 130, in a county with a population of more than 2.5 million, rather than more than two million, to dedicate a specific percentage of the local tax levy to the use of the junior college district for facilities and equipment or for the maintenance and operating expenses of the junior college district.

SECTION 22. Amends Section 51.214(a), Education Code, as follows:

(a) Authorizes the governing board of a private, nonprofit medical corporation, or of the parent corporation of such medical corporation, that provides police or security services for an institution of higher education or a private postsecondary educational institution

located within one of the medical corporation's or parent corporation's medical complexes, or that provides police or security services for another medical complex legally affiliated with or owned, leased, managed, or controlled by the medical corporation or parent corporation, to employ and commission police or security personnel to enforce the law of this state within the jurisdiction designated by Subsection (c) (relating to providing that the jurisdiction of an officer commissioned under Section 51.214 (Security Officers for Medical Corporations in General Municipalities) is limited to certain areas) in any municipality with a population of 1.18 million or more located primarily in a county with a population of 2.5 million or more, rather than 2 million or more.

SECTION 23. Amends Section 53A.49(a), Education Code, as follows:

(a) Authorizes a corporation meeting certain criteria, in the same manner that a corporation is authorized to issue bonds under Chapter 53A (Higher Education Facility Authorities for Private Schools) for an institution of higher education, to issue bonds to finance or refinance educational facilities to be used by a school that:

(1) is located in a county with a population of more than 2.5 million, rather than more than two million;

(2)-(4) makes no changes to these subdivisions; and

(5) is owned and operated by a corporation created under the Texas Nonprofit Corporation Law, as described by Section 1.008(d), Business Organizations Code, rather than under the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes).

SECTION 24. Amends Section 61.0764(b), Education Code, as follows:

(b) Requires the Texas Higher Education Coordinating Board (THECB) to select one licensed hospital located in a county that borders the United Mexican States and that has a population of more than 870,000, rather than a population of at least 700,000 and not more than 800,000, to participate in the pilot program.

SECTION 25. Amends Section 130.082(i), Education Code, as follows:

(i) Requires that the election of trustees of a countywide junior or community college district that contains a city with a population of more than 1.18 million located primarily in a county with a population of 2.5 million or more, rather than 2 million or more, be held on the first Saturday in April of each even-numbered year.

SECTION 26. Amends Section 31.039(g), Election Code, as follows:

(g) Provides that Section 31.035(b) (relating to providing that a county elections administrator commits an offense if the administrator makes certain political payments) does not apply to a person employed on a full-time basis by the administrator's office in a county with a population of 1.2 million or less, rather than one million or less, that has an election administrator.

SECTION 27. Amends Section 31.160(e), Election Code, as follows:

(e) Provides that the joint elections administrator for a county with a population of 1.2 million or more, rather than one million or more, that has an elections administrator is subject to Section 31.035 (Restrictions on Political Activities) in the same manner as a county elections administrator.

SECTION 28. Amends Section 85.066(b), Election Code, as follows:

(b) Authorizes the commissioners court, for a countywide election in a county with a population of more than 3.3 million, rather than more than 2.5 million, and a primary election in a county meeting certain criteria, to limit voting at a temporary branch polling place to the voters of particular state representative districts.

SECTION 29. Amends Section 143.005(e), Election Code, as follows:

(e) Provides that if the city charter of a home-rule city with a population of more than 1.18 million located primarily in a county with a population of 2.5 million or more, rather than 2 million or more, that holds nonpartisan elections for its offices requires both a petition and a \$50 fee to be filed for a candidate's name to be placed on the ballot, those requirements supersede Section 143.005 (Application for Home-Rule City Office).

SECTION 30. Amends Section 172.024(a), Election Code, as follows:

(a) Provides that the filing fee for a candidate for nomination in the general primary election is as follows:

(1)-(7) makes no changes to these subdivisions;

(8) chief justice or justice of a court of appeals that serves a court of appeals district in which a county with a population of more than 1.2 million, rather than more than one million, is wholly or partly situated.....2,500

(9)-(17) makes no changes to these subdivisions.

SECTION 31. Amends Section 65.004(a), Family Code, as follows:

(a) Provides that the following are designated as truancy courts:

(1) in a county with a population of 2.1 million or more, rather than 1.75 million or more, the constitutional county court; and

(2)-(3) makes no changes to these subdivisions.

SECTION 32. Amends Section 84.002(a), Family Code, as follows:

(a) Requires the district court, on the request of the prosecuting attorney in a county with a population of more than 2.5 million, rather than more than two million, or in a county in a judicial district that is composed of more than one county, to set the hearing on a date and time meeting certain requirements.

SECTION 33. Amends Section 105.009(m), Family Code, as added by Chapter 1171 (H.B. 3531), Acts of the 79th Legislature, Regular Session, 2005, as follows:

(m) Requires that parent education and family education in a suit filed in a county with a population of more than 2.5 million, rather than more than two million, that is adjacent to a county with a population of more than one million be available in both English and Spanish.

SECTION 34. Amends Section 26.045(d), Government Code, as follows:

(d) Provides that a county court in a county with a population of 2.1 million or more, rather than 1.75 million or more, has original jurisdiction over certain cases.

SECTION 35. Amends Section 27.055(g), Government Code, as follows:

(g) Provides that this subsection applies to a county with a population of at least 135,000 but not more than 145,000, rather than at least 120,000 but not more than 130,000, with territory less than 940 square miles that includes a state park, and with not more than two

justice precincts provided that at least one of the precincts contains all or part of a municipality with a population of at least 195,000 but not more than 205,000, rather than at least 190,000 but not more than 200,000.

SECTION 36. Amends Section 51.501(c), Government Code, as follows:

(c) Provides that the commissioners court of a county that has a population of 5,415 to 5,515, rather than 5,800 to 5,900, is required to determine whether the county is required to have a joint clerk but is prohibited from taking action to prevent a district clerk, county clerk, or joint clerk from serving the full term of office to which the clerk was elected.

SECTION 37. Amends Section 54.1171, Government Code, as follows:

Sec. 54.1171. APPLICATION OF SUBCHAPTER. Provides that Subchapter W (Magistrates in Certain County Courts) applies to a constitutional county court in a county with a population of 2.1 million or more, rather than 1.75 million or more.

SECTION 38. Amends Section 54.1951, Government Code, as follows:

Sec. 54.1951. APPLICATION OF SUBCHAPTER. Provides that Subchapter JJ (Magistrates in Certain Counties) applies to a constitutional county court in a county that:

- (1) has a population of more than 820,000, rather than more than 585,000; and
- (2) makes no changes to this subdivision.

SECTION 39. Amends Section 62.011(b), Government Code, as follows:

(b) Requires that a plan authorized by Section 62.011 (Electronic or Mechanical Method of Selection) for the selection of names of prospective jurors:

- (1)-(3) makes no changes to these subdivisions;
- (4) designate the district clerk, or in a county with a population of at least 1.7 million and in which more than 70 percent, rather than more than 75 percent, of the population resides in a single municipality, a bailiff appointed as provided under Section 62.019 (Bailiffs for General Panels), as the officer in charge of the selection process and define the officer's duties; and
- (5) makes no changes to this subdivision.

SECTION 40. Amends Section 62.0145, Government Code, as follows:

Sec. 62.0145. REMOVAL OF CERTAIN PERSONS FROM POOL OF PROSPECTIVE JURORS. Provides that the county or district clerk, except as provided by Section 62.0146 (Updating Addresses of Certain Persons in Pool of Prospective Jurors), if a written summons for jury service sent by a sheriff, constable, or bailiff is undeliverable, is authorized to remove from the jury wheel the jury wheel card for the person summoned or the district clerk, or in a county with a population of at least 1.7 million and in which more than 70 percent, rather than more than 75 percent, of the population resides in a single municipality, a bailiff appointed as provided under Section 62.019, is authorized to remove the person's name from the record of names for selection of persons for jury service under Section 62.011.

SECTION 41. Amends Section 62.021, Government Code, as follows:

Sec. 62.021. DISMISSAL OF JUROR REMOVED FROM PANEL. Requires a prospective juror removed from a jury panel for cause, by peremptory challenge or for any other reason, in a county with a population of 2.5 million or more, rather than two million or more, to be dismissed from jury service. Makes a nonsubstantive change.

SECTION 42. Amends Sections 403.302(c-1) and (e-1), Government Code, as follows:

(c-1) Provides that this subsection applies only to a school district whose central administrative office is located in a county with a population of 10,000 or less, rather than 9,000 or less, and a total area of more than 6,000 square miles.

(e-1) Provides that this subsection applies only to a reinvestment zone created by a municipality that has a population of 83,000 or less, rather than 70,000 or less, and is located in a county in which all or part of a military installation is located.

SECTION 43. Amends Section 476.0002, Government Code, as follows:

Sec. 476.0002. ELIGIBILITY AS ENDORSING MUNICIPALITY. Provides that only a municipality with a population of one million or more, rather than 850,000 or more, is eligible as an endorsing municipality under Chapter 476 (Pan American Games Trust Fund).

SECTION 44. Amends Section 477.0002, Government Code, as follows:

Sec. 477.0002. ELIGIBILITY AS ENDORSING MUNICIPALITY. Provides that only a municipality with a population of one million or more, rather than 850,000 or more, is eligible as an endorsing municipality under Chapter 477 (Olympic Games Trust Fund).

SECTION 45. Amends Section 533.00257(j), Government Code, as follows:

(j) Prohibits the Health and Human Services Commission (HHSC), rather than prohibits HHSC notwithstanding Subsection (i), from delaying providing medical transportation program services through a managed transportation delivery model in:

(1) a county with a population of one million or more, rather than 750,000 or more:

(A) makes no changes to this paragraph; and

(B) that is located adjacent to a county with a population of 2.5 million or more, rather than two million or more; or

(2) a county with a population of at least 60,000 but not more than 70,000, rather than at least 55,000 but not more than 65,000, that is located adjacent to a county with a population of at least 500,000 but not more than 1.5 million.

SECTION 46. Amends Section 791.037(b), Government Code, as follows:

(b) Provides that Section 791.037 (Solid Waste Disposal Services in Certain Counties) applies only to a county with a population of more than 1.7 million in which more than 70 percent of the population resides in a single municipality, rather than a county with a population of more than 1.5 million in which more than 75 percent of the population resides in a single municipality.

SECTION 47. Amends Section 803.0021, Government Code, as follows:

Sec. 803.0021. APPLICATION OF CHAPTER. Provides that Chapter 803 (Proportionate Retirement Program) applies only to:

(1) a retirement system for general municipal employees in a municipality with a population of not less than 950,000 nor more than 1,050,000, rather than not less than 750,000 nor more than 850,000; and

(2)-(3) makes no changes to these subdivisions.

SECTION 48. Amends Section 851.0011(a), Government Code, as follows:

(a) Provides that Section 851.0011 (Alternative Definition of Department) applies only with respect to a municipality:

(1) makes no changes to this subdivision;

(2) that is located in a county with a population of not less than 2.5 million, rather than not less than 2 million, and not more than 4 million; and

(3)-(4) makes no changes to these subdivisions.

SECTION 49. Amends the heading to Section 1331.051, Government Code, to read as follows:

Sec. 1331.051. LIMITATION ON BONDED DEBT: MUNICIPALITY WITH POPULATION OF 950,000 OR MORE.

SECTION 50. Amends Section 1331.051(a), Government Code, to provide that this section applies only to a municipality with a population of 950,000 or more, rather than 750,000 or more.

SECTION 51. Amends Section 1371.001(4), Government Code, to redefine "issuer."

SECTION 52. Amends Section 1372.002(g), Government Code, as follows:

(g) Provides that Subsection (f) (relating to authorizing an applicant to which this subsection applies to aggregate more than one qualified residential rental project into a single, combined project in certain circumstances) applies only to an applicant created by a municipal housing authority established by a municipality that is:

(1) creates this subdivision from existing text; and

(2) located in a county that contains a municipality with a population of more than 500,000, rather than that is located in a county with a population of more than 800,000.

SECTION 53. Amends Section 1431.001(2), Government Code, to redefine "eligible countywide district."

SECTION 54. Amends the heading to Chapter 1476, Government Code, to read as follows:

CHAPTER 1476. CERTIFICATES OF INDEBTEDNESS IN COUNTIES WITH POPULATION OF MORE THAN 2.5 MILLION

SECTION 55. Amends Section 1476.001(a), Government Code, to provide that this chapter applies only to a county with a population of more than 2.5 million, rather than more than two million.

SECTION 56. Amends Section 1477.301, Government Code, as follows:

Sec. 1477.301. APPLICABILITY OF SUBCHAPTER. Provides that Subchapter G (Revenue Bonds for Improvements to Attract Visitors or Tourists in Certain Counties) applies only to a county:

(1) makes no changes to this subdivision; or

(2) with a population of more than 90,000 that borders the United Mexican States other than a county that contains three or more municipalities that each have a population of more than 23,000, rather than more than 17,500.

SECTION 57. Amends Section 1502.070(a), Government Code, as follows:

(a) Authorizes management and control of a utility system to be vested in:

(1) makes no changes to this subdivision; or

(2) a board of trustees named in the proceedings adopted by the municipality and consisting of not more than:

(A) makes no changes to this paragraph;

(B) seven members, one of whom is required to be the mayor of the municipality, if the municipality is located in a county that:

(i) contains a municipality with a population of at least 500,000, rather than in a county with a population of at least 800,000; and

(ii) makes a nonsubstantive change to this subparagraph; or

(C) makes no changes to this paragraph.

SECTION 58. Amends the heading to Subchapter E, Chapter 1503, Government Code, to read as follows:

SUBCHAPTER E. ADDITIONAL POWERS OF MUNICIPALITIES WITH POPULATION OF 1.9 MILLION OR MORE

SECTION 59. Amends the heading to Subchapter F, Chapter 1504, Government Code, to read as follows:

SUBCHAPTER F. REVENUE BONDS FOR CULTURAL FACILITIES IN HOME-RULE MUNICIPALITIES WITH POPULATION OF 1.9 MILLION OR MORE

SECTION 60. Amends Section 1506.101, Government Code, as follows:

Sec. 1506.101. **APPLICABILITY OF SUBCHAPTER.** Provides that Subchapter C (Revenue Bonds for Parking Improvements in Certain Coastal Municipalities) applies only to a municipality that:

(1) makes no changes to this subdivision; and

(2) has a population of:

(A) more than 53,000 and less than 84,000, rather than more than 47,500 and less than 73,000; or

(B) more than 115,000 and less than 160,000, rather than more than 117,000 and less than 160,000.

SECTION 61. Amends the heading to Subchapter D, Chapter 1506, Government Code, to read as follows:

SUBCHAPTER D. REVENUE BONDS FOR PARKING AND TRANSPORTATION FACILITIES IN MUNICIPALITIES WITH POPULATION OF MORE THAN 1.1 MILLION

SECTION 62. Amends Section 1509.002(b), Government Code, as follows:

(b) Provides that Section 1509.002 (Authority to Acquire Property for Sale or Lease to Institution of Higher Education) applies only to a municipality that:

(1) makes no changes to this subdivision; and

(2) is located in two counties, rather than is located in two counties with populations of 550,000 or more but less than 4.2 million.

SECTION 63. Amends the heading to Subchapter C, Chapter 1509, Government Code, to read as follows:

SUBCHAPTER C. BONDS FOR FARMERS' MARKETS IN MUNICIPALITIES WITH
POPULATION OF MORE THAN 1.1 MILLION

SECTION 64. Amends Section 2051.0441(a), Government Code, as follows:

(a) Provides that Section 2051.0441 (Type of Newspaper Required for Publication in Certain Counties) applies only to a notice published by a governmental entity or representative in a county:

(1) with a population of at least 30,000 and not more than 42,000, rather than not more than 39,000, that borders the Red River; or

(2) makes no changes to this subdivision.

SECTION 65. Amends Section 2306.6710(b), Government Code, as follows:

(b) Requires the Texas Department of Housing and Community Affairs, if an application satisfies the threshold criteria, to score and rank the application using a point system that:

(1)-(3) makes no changes to these subdivisions; and

(4) for an application concerning a development that is or will be located in a county with a population of 1.2 million, rather than 1 million, or more but less than 4 million and that is or will be located not more than two miles from a veterans hospital, veterans affairs medical center, or veterans affairs health care center, encourages applicants to provide a preference for leasing units in the development to low income veterans.

SECTION 66. Amends Section 34.020(b), Health and Safety Code, as follows:

(b) Requires HHSC to implement the program in:

(1) at least two counties with populations of more than 2.5 million, rather than more than two million; and

(2)-(3) makes no changes to these subdivisions.

SECTION 67. Amends Section 61.056(c), Health and Safety Code, as follows:

(c) Authorizes a hospital district created in a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003, to affiliate with any public or private entity to provide regional administration and delivery of health care services.

SECTION 68. Amends Section 61.056(d), Health and Safety Code, as added by Chapter 217 (S.B. 1063), Acts of the 81st Legislature, Regular Session, 2009, as follows:

(d) Authorizes a hospital district created in a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003, to provide or arrange to provide health care services for eligible residents through the purchase of health coverage or other health

benefits, including benefits described by Chapter 75 (Regional or Local Health Care Programs for Employees of Small Employers).

SECTION 69. Amends Section 141.0025(a), Health and Safety Code, as follows:

(a) Authorizes the Department of State Health Services to grant a waiver from the requirements of Chapter 141 (Youth Camps) to a program that:

(1)-(5) makes no changes to these subdivisions;

(6) operates in a county with a population of at least 4,000 but not more than 4,350, rather than at least 4,400 but not more than 4,750; and

(7) makes no changes to this subdivision.

SECTION 70. Amends Section 262.034(e), Health and Safety Code, as follows:

(e) Provides that Section 262.034 (Facilities and Services for Elderly and Disabled) applies only to an authority that owns or operates a hospital licensed under Chapter 241 (Hospitals) and that is located in:

(1)-(3) makes no changes to these subdivisions; or

(4) a municipality with a population of less than 12,000 and a county with a population of 3.3 million or more, rather than 2.5 million or more, at a certain time.

SECTION 71. Amends Section 263.025, Health and Safety Code, as follows:

Sec. 263.025. New heading: HOSPITAL OPERATING FUNDS USED FOR IMPROVEMENTS IN CERTAIN COUNTIES. Authorizes the commissioners court of a county with a population of 24,000 or more but less than 24,500 or a population of 24,700 or more but less than 27,000, rather than a population of 24,500 to 25,500, to use excess money in the county hospital operating fund for making permanent improvements to the county hospital and for the payment of county bonds issued for the construction and improvement of a county hospital facility.

SECTION 72. Amends Section 281.004(a-1), Health and Safety Code, as follows:

(a-1) Requires that the ballot for an election under Chapter 281 (Hospital Districts in Counties of At Least 190,000) held in a county with a population of more than 1.2 million, rather than more than 800,000, that is not included in the boundaries of a hospital district before September 1, 2003, be printed to provide for voting for or against the proposition: "The creation of a hospital district and the levy of a tax not to exceed 25 cents on each \$100 of the taxable value of property taxable by the district."

SECTION 73. Amends Sections 281.021(b) and (d), Health and Safety Code, as follows:

(b) Requires the commissioners court of a county with a population of more than 2.1 million but less than 2.5 million, rather than more than 1.8 million but less than 1.9 million, in which a district is created under this chapter to appoint a board composed of not less than five or more than 15 members.

(d) Requires the district, if a district is created under this chapter in a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003, to be governed by a nine-member board of hospital managers, appointed in a certain manner.

SECTION 74. Amends Section 281.0281(a), Health and Safety Code, to provide that Section 281.0281 (Employment of Health Care Providers) applies only to a district created in a county

with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 75. Amends Section 281.02815(a), Health and Safety Code, to provide that Section 281.02815 (Employment of Physicians by Certain Hospital Districts) applies only to a district created in a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 76. Amends Section 281.0475(a), Health and Safety Code, to provide that Section 281.0475 (Renaming District) applies only to a district created in a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 77. Amends Section 281.0511(a), Health and Safety Code, to provide that Section 281.0511 (Contracting Authority of Certain Districts; Lease of Property or Hospital Facilities) applies only to a district created in a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 78. Amends Section 281.056(b-1), Health and Safety Code, as follows:

(b-1) Requires the county attorney, district attorney, or criminal district attorney, as appropriate, with the duty to represent the county in civil matters to, in all legal matters, represent a district located in:

(1) a county that borders the United Mexican States and in which a municipality with a population of 500,000 or more is located, rather than a county with a population of 800,000 or more that borders the United Mexican States;

(2) makes no changes to this subdivision; or

(3) a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 79. Amends Section 281.122(a), Health and Safety Code, to provide that Section 281.122 (Reduction in Ad Valorem Tax Rate by Governmental Entity) applies only to a district created in a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 80. Amends Section 281.124(a), Health and Safety Code, to provide that Section 281.124 (Election to Approve Tax Rate in Excess of Voter-Approval Tax Rate) applies only to a district created in a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 81. Amends Section 285.002, Health and Safety Code, as follows:

Sec. 285.002. APPLICABILITY OF SUBCHAPTER. Provides that Subchapter A (Payment of Hospital District Operating Expenses in Certain Populous Counties) applies only to a county having:

(1) a population of:

(A) at least 1.2 million, rather than at least 800,000; or

(B) at least 830,000 and not more than 870,000; and

(2) makes no changes to this subdivision.

SECTION 82. Amends the heading to Chapter 290, Health and Safety Code, to read as follows:

CHAPTER 290. COUNTY HEALTH CARE FUNDING DISTRICTS IN CERTAIN
COUNTIES WITH POPULATION OF 2.1 MILLION OR LESS

SECTION 83. Amends Section 290.002, Health and Safety Code, as follows:

Sec. 290.002. CREATION OF DISTRICT. Provides that a district is created in each county that has a population of 2.1 million or less, rather than 1.8 million or less, and in which a municipality with a population of 1.1 million or more is predominantly located.

SECTION 84. Amends Section 291.002, Health and Safety Code, as follows:

Sec. 291.002. APPLICABILITY. Provides that Chapter 291 (County Health Care Provider Participation Program in Certain Counties in the Texas-Louisiana Border Region) applies only to a county that:

(1)-(2) makes no changes to these subdivisions; and

(3) has a population of more than 51,000, rather than more than 50,000, but less than 65,000.

SECTION 85. Amends Section 291A.002, Health and Safety Code, as follows:

Sec. 291A.002. APPLICABILITY. Provides that Chapter 291A (County Health Care Provider Participation Program in Certain Counties) applies only to:

(1) makes no changes to this subdivision; and

(2) a county that has a population of more than 200,000 and less than 233,500, rather than less than 220,000.

SECTION 86. Amends Section 292.002, Health and Safety Code, as follows:

Sec. 292.002. APPLICABILITY. Provides that Chapter 292 (County Health Care Provider Participation Program in Certain Counties) applies only to a county that is not served by a hospital district and:

(1) makes no changes to this subdivision; or

(2) has a population of less than 51,000 and is adjacent to a county with a population of more than 200,000 but less than 233,500, rather than less than 220,000.

SECTION 87. Amends Section 292C.002, Health and Safety Code, as follows:

Sec. 292C.002. APPLICABILITY. Provides that Chapter 292C (County Health Care Provider Participation Program in Certain Counties With Hospital District Bordering Oklahoma) applies only to a county that:

(1) makes no changes to this subdivision;

(2) has a population of more than 125,000 but less than 135,000; and

(3) makes no changes to this subdivision.

SECTION 88. Amends Section 293C.002, Health and Safety Code, as follows:

Sec. 293C.002. APPLICABILITY. Provides that Chapter 293C (County Health Care Provider Participation Program in Certain Counties Not Bordering Certain Populous Counties) applies only to a county that:

(1) makes no changes to this subdivision;

(2) has a population of more than 140,000 and less than 155,000, rather than more than 125,000 and less than 140,000; and

(3) is not adjacent to a county with a population of 1.2 million or more, rather than one million or more.

SECTION 89. Amends Section 294.002, Health and Safety Code, as follows:

Sec. 294.002. APPLICABILITY. Provides that Chapter 294 (County Health Care Provider Participation Program in Certain Counties Containing a Private University) applies only to a county that:

(1)-(2) makes no changes to these subdivisions; and

(3) has a population of less than 265,000, rather than less than 250,000.

SECTION 90. Amends Section 295.002, Health and Safety Code, as follows:

Sec. 295.002. APPLICABILITY. Provides that Chapter 295 (Municipal Health Care Provider Participation Program in Certain Municipalities) applies only to a municipality that:

(1)-(2) makes no changes to these subdivisions; and

(3) has a population of more than 115,000, rather than more than 117,000, and less than 145,000.

SECTION 91. Amends Section 296.002, Health and Safety Code, as follows:

Sec. 296.002. APPLICABILITY. Provides that Chapter 296 (County Health Care Provider Participation Program in Certain Counties) applies only to a county that:

(1) makes no changes to this subdivision; and

(2) has a population of less than 235,000 and contains two municipalities both with populations of 83,000 or more, rather than has a population of less than 200,000 and contains two municipalities both with populations of 75,000 or more.

SECTION 92. Amends Section 296A.002, Health and Safety Code, as follows:

Sec. 296A.002. APPLICABILITY. Provides that Chapter 296A (County Health Care Provider Participation Program in Certain Counties Bordering Two Populous Counties) applies only to a county that:

(1) makes no changes to this subdivision; and

(2) has a population of less than 600,000 and borders two counties both with populations of 1.1 million or more, rather than one million or more.

SECTION 93. Amends Section 298E.002, Health and Safety Code, as follows:

Sec. 298E.002. APPLICABILITY. Provides that Chapter 298E (Health Care Provider Participation Program in Certain Hospital Districts) applies only to a hospital district created in a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 94. Amends Section 341.0358(g), Health and Safety Code, as follows:

(g) Provides that Section 341.0358 (Public Safety Standards) also applies to:

- (1) a municipality with a population of more than 42,500 and less than 48,000 located in two counties, one of which is a county with a population of more than 2.1 million, rather than a municipality with a population of more than 36,000 and less than 41,000 located in two counties, one of which is a county with a population of more than 1.8 million;
- (2) a municipality, including any industrial district within the municipality or its extraterritorial jurisdiction, with a population of more than 15,000 and less than 45,700 located in a county with a population of more than 235,000 and less than 255,000, rather than with a population of more than 7,000 and less than 30,000 located in a county with a population of more than 155,000 and less than 180,000; and
- (3) a municipality, including any industrial district within the municipality or its extraterritorial jurisdiction, with a population of more than 32,000 and less than 35,000 located in two counties, rather than with a population of more than 11,000 and less than 18,000 located in a county with a population of more than 125,000 and less than 230,000.

SECTION 95. Amends Section 341.03585(b), Health and Safety Code, as follows:

(b) Provides that Section 341.03585 (Fire Hydrant Flow and Pressure Standards in Certain Municipalities) applies only to:

- (1) a municipality, including any industrial district within the municipality or its extraterritorial jurisdiction, with a population of more than 15,000 and less than 45,700 located in a county with a population of more than 235,000 and less than 255,000, rather than with a population of more than 7,000 and less than 30,000 located in a county with a population of more than 155,000 and less than 180,000; and
- (2) a municipality, including any industrial district within the municipality or its extraterritorial jurisdiction, with a population of more than 32,000 and less than 35,000 located in two counties, rather than with a population of more than 11,000 and less than 18,000 located in a county with a population of more than 125,000 and less than 230,000.

SECTION 96. Amends Section 343.011(c), Health and Safety Code, as follows:

(c) Provides that a public nuisance is:

- (1)-(6) makes no changes to these subdivisions;
- (7) maintaining on any property in a neighborhood in a county with a population of more than 1.3 million, rather than more than 1.1 million, a swimming pool that is not protected with a fence that is at least four feet high and that has a latched gate that cannot be opened by a child or with a cover over the entire swimming pool that cannot be removed by a child; or
- (8)-(13) makes no changes to these subdivisions.

SECTION 97. Amends Section 364.011(a-2), Health and Safety Code, as follows:

(a-2) Authorizes a commissioners court, notwithstanding Subsection (a) (relating to authorizing a commissioners court by rule to take certain actions regarding solid waste), to, through a competitive bidding process, contract for the provision of solid waste

collection, handling, storage, and disposal in an area of the county located within the extraterritorial jurisdiction of a municipality if:

(1) makes no changes to this subdivision; and

(2) the county has a population of more than 1.5 million and at least 70 percent, rather than at least 75 percent, of the population resides in a single municipality.

SECTION 98. Amends Section 364.0341(a), Health and Safety Code, to provide that Section 364.0341 (Solid Waste Disposal Services in Extraterritorial Jurisdiction of Certain Municipalities) applies only to a municipality wholly or partly located in a county with a population of more than 57,000 and less than 57,900, rather than more than 54,000 and less than 54,500.

SECTION 99. Amends Section 382.218(a), Health and Safety Code, to provide that Section 382.218 (Required Participation by Certain Counties) applies only to a county that borders the United Mexican States and in which a municipality with a population of 500,000 or more is located, rather than a county with a population of 800,000 or more that borders the United Mexican States.

SECTION 100. Amends Sections 711.008(b) and (d), Health and Safety Code, as follows:

(b) Provides that Subsection (a) (relating to prohibiting certain entities from establishing or operating a cemetery, or using any land for the interment of remains, located in certain areas) does not apply to:

(1)-(6) makes no changes to these subdivisions;

(7) the establishment and use of a private family cemetery by an organization that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, on land that is:

(A) makes no changes to this paragraph; and

(B) located in a county:

(i) with a population of more than 165,000, rather than more than 125,000; and

(ii) that is adjacent to a county that has a population of more than 1.5 million and in which more than 70 percent, rather than more than 75 percent, of the population lives in a single municipality; or

(8) makes no changes to this subdivision.

(d) Provides that Subsection (a) does not apply to a cemetery established and operating before September 1, 1995, in a county with a population of more than 315,000 and less than 351,000, rather than more than 285,000 and less than 300,000, that borders the Gulf of Mexico.

SECTION 101. Amends Section 713.0271, Health and Safety Code, as follows:

Sec. 713.0271. CEMETERY OWNED BY CERTAIN COUNTIES. Authorizes a county with a population of more than 800,000, rather than more than 550,000, that borders a county with a population of more than 3.3 million to own, operate, and maintain a cemetery.

SECTION 102. Amends Section 766.052, Health and Safety Code, as follows:

Sec. 766.052. APPLICABILITY OF SUBCHAPTER. Provides that Subchapter B (Fire Protection Sprinkler Systems in Certain Residential High-Rise Buildings in Certain Counties) applies only to a residential high-rise building:

(1) that is located in a county with a population of more than 1.5 million in which more than 70 percent, rather than more than 75 percent, of the population resides in a single municipality; and

(2)-(3) makes no changes to these subdivisions.

SECTION 103. Amends Section 771.0751(a), Health and Safety Code, as added by Chapter 258 (H.B. 1771), Acts of the 78th Legislature, Regular Session, 2003, to provide that Section 771.0751 (Use of Revenue in Certain Counties) applies only to the use of fees and surcharges collected under Subchapter D (Financing State Emergency Communications) in a county subject to this subchapter with a population of at least 1.2 million, rather than at least one million.

SECTION 104. Amends the heading to Subchapter B, Chapter 772, Health and Safety Code, to read as follows:

SUBCHAPTER B. EMERGENCY COMMUNICATION DISTRICTS: COUNTIES WITH POPULATION OVER 3.3 MILLION

SECTION 105. Amends the heading to Subchapter E, Chapter 772, Health and Safety Code, to read as follows:

SUBCHAPTER E. EMERGENCY COMMUNICATION SERVICE: COUNTIES WITH POPULATION OVER 2.5 MILLION

SECTION 106. Amends Section 772.402, Health and Safety Code, as follows:

Sec. 772.402. APPLICATION OF SUBCHAPTER. Provides that Subchapter E (Emergency Communication Service: Counties With Population Over Two Million) applies only to a county having a population of more than 2.5 million, rather than more than two million, in which a communication district has not been created under Subchapter B (Emergency Communication Districts: Counties With Population Over Two Million).

SECTION 107. Amends Section 775.014(h), Health and Safety Code, as follows:

(h) Authorizes the governing body of a municipality with a population of more than one million to negotiate with the commissioners court of a county with a population of less than 2.1 million, rather than less than 1.8 million, that is the county in which the majority of the territory inside the municipality's corporate boundaries is located conditions under which the municipality will grant its consent to the inclusion of its extraterritorial jurisdiction in the district.

SECTION 108. Amends Section 775.0315(a), Health and Safety Code, to provide that Section 775.0315 (Legal Representation) applies only to a district located wholly in a county with a population of 2.1 million or more, rather than 1.8 million or more, in which two or more cities with a population of 350,000 or more are located.

SECTION 109. Amends Section 775.045(b), Health and Safety Code, as follows:

(b) Provides that Subsection (a) (relating to providing that certain statutes apply to a district in a certain manner) does not apply to a district:

(1) makes no changes to this subdivision; and

(2) whose territory is located:

(A) makes no changes to this paragraph; and

(B) in a county that has a population of more than 1.2 million, rather than more than one million, and is adjacent to a county with a population of more than 600,000, rather than more than 420,000.

SECTION 110. Amends Section 775.221(a), Health and Safety Code, as follows:

(a) Provides that Subchapter I (Division of District) applies only to a district located wholly in:

(1) makes no changes to this subdivision; or

(2) a county with a population of more than 30,000 but less than 41,000 that is adjacent to a county with a population of more than 200,000 but less than 233,500, rather than less than 220,000.

SECTION 111. Amends Section 775.301, Health and Safety Code, as follows:

Sec. 775.301. DEFINITION. Redefines "commissioners court."

SECTION 112. Amends Section 775.302(a), Health and Safety Code, as follows:

(a) Provides that Subchapter K (Districts in Certain Counties) applies only to a district that is located wholly in a county:

(1) creates this subdivision from existing text;

(2) that contains a municipality with a population of more than 500,000, rather than a county that has a population of more than 800,000; and

(3) creates this subdivision from existing text.

SECTION 113. Amends Section 822.0012(a), Health and Safety Code, as follows:

(a) Provides that Section 822.0012 (Animal Control Authority in Certain Municipalities) applies only to an incorporated municipality that has a population of more than 1,000 and that is the county seat of a county with a population of 1,380 or more but less than 1,600, rather than a population of less than 1,600.

SECTION 114. Amends Section 822.0411(a), Health and Safety Code, to provide that Section 822.0411 (Animal Control Authority in Certain Municipalities) applies only to an incorporated municipality that has a population of more than 1,000 and that is the county seat of a county with a population of 1,380 or more but less than 1,600, rather than a population of less than 1,600.

SECTION 115. Amends Section 42.041(g), Human Resources Code, as follows:

(g) Authorizes a child-care facility meeting certain criteria to provide care for each child at the child-care facility for not more than 15 hours a week if the child-care facility:

(1) makes no changes to this subdivision; and

(2) is located in a county:

(A) in which a municipality with a population of 500,000 or more is located, rather than in a county with a population of 800,000 or more; and

(B) creates this paragraph from existing text.

SECTION 116. Amends Section 101A.202(a), Human Resources Code, to provide that Section 101A.202 (Contributions to Local Organizations: Certain Counties) applies only to counties having a population of not less than 20,600 and not more than 20,800, rather than not less than 22,140 and not more than 22,340, and to cities and towns within those counties.

SECTION 117. Amends Section 1575.163, Insurance Code, as follows:

Sec. 1575.163. LIMITATIONS. Prohibits the Teacher Retirement System of Texas, as trustee, from contracting for or providing a health benefit plan that excludes from participation in the network a general hospital that:

(1) is located in the geographical service area or areas of the health coverage plan that includes a county that:

(A) has a population of at least 100,000 and not more than 233,500, rather than not more than 210,000; and

(B) makes no changes to this paragraph; and

(2) makes no changes to this subdivision.

SECTION 118. Amends Section 1579.108, Insurance Code, as follows:

Sec. 1579.108. LIMITATIONS. Prohibits the trustee from contracting for or providing a health coverage plan that excludes from participation in the network a general hospital that:

(1) is located in the geographical service area or areas of the health coverage plan that includes a county that:

(A) has a population of at least 100,000 and not more than 233,500, rather than not more than 210,000; and

(B) makes no changes to this paragraph; and

(2) makes no changes to this subdivision.

SECTION 119. Amends Section 21.101, Local Government Code, as follows:

Sec. 21.101. REMOVAL BY RECALL ELECTION AUTHORIZED. Authorizes a member of the governing body of a general-law municipality with a population of less than 3,000, rather than less than 5,000, located in a county that borders the United Mexican States and contains a municipality with a population of more than 500,000, rather than a county that borders the United Mexican States and has a population of more than 800,000, to be removed from office through a recall election initiated by petition as provided by Subchapter C (Removal of Member of Governing Body of Certain General-Law Municipalities Following Election).

SECTION 120. Amends Section 22.041(c), Local Government Code, to provide that this subsection applies only to a municipality that is located in a county that borders the United Mexican States and contains a municipality with a population of 500,000 or more, rather than a county with a population of 800,000 or more that is adjacent to an international border.

SECTION 121. Amends Section 42.021(d), Local Government Code, as follows:

(d) Provides that the extraterritorial jurisdiction of a municipality, regardless of Subsection (a) (relating to providing that the extraterritorial jurisdiction of a municipality is a certain area), is the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located within three miles of those boundaries if the municipality:

(1) has a population of not less than 25,000 or more than 27,000, rather than not less than 20,000 or more than 29,000; and

(2) makes no changes to this subdivision.

SECTION 122. Amends Section 42.0251(a), Local Government Code, as follows:

(a) Provides that Section 42.0251 (Release of Extraterritorial Jurisdiction by Certain General-Law Municipalities) applies only to a general-law municipality:

(1) that has a population of less than 4,000, rather than less than 3,000;

(2) that is located in a county with a population of more than 800,000, rather than more than 500,000, that is adjacent to a county with a population of more than four million; and

(3) makes no changes to this subdivision.

SECTION 123. Amends Section 43.0751(n), Local Government Code, as follows:

(n) Provides that this subsection applies only to a municipality any portion of which is located in a county that has a population of not less than 315,000 and not more than 351,000, rather than not less than 285,000 and not more than 300,000, and that borders the Gulf of Mexico and is adjacent to a county with a population of more than 3.3 million.

SECTION 124. Amends Section 43.1025(a), Local Government Code, to provide that Section 43.1025 (Annexation of Noncontiguous Municipally Owned Airport by Certain Municipalities) applies only to a home-rule municipality that has a population of less than 13,000, rather than less than 11,000, and is located primarily in a county with a population of more than 3.3 million.

SECTION 125. Amends Section 81.029(a), Local Government Code, to provide that Section 81.029 (Delegation of Duties of a County Judge in Certain Counties) applies only to a county judge in a county that is located on the international border and contains a municipality with a population of 500,000 or more, rather than in a county that has a population of more than 800,000 and is located on the international border.

SECTION 126. Amends Section 81.033(a), Local Government Code, to provide that Section 81.033 (Power of Commissioners Court in County with No Incorporated Territory) applies only to a commissioners court of a county that has a population of more than 4,500, rather than more than 5,000, is located within 100 miles of an international boundary, and contains no incorporated territory of a municipality.

SECTION 127. Amends Section 89.001(a), Local Government Code, to authorize the commissioners court of a county with a population of more than two million, rather than more than 1.25 million, to employ an attorney as special counsel.

SECTION 128. Amends Section 106.001, Local Government Code, as follows:

Sec. 106.001. CREATION OF CHILD SAFETY TRUST FUND IN CERTAIN MUNICIPALITIES. Requires that a child safety trust fund be created in the treasury of a municipality with a population of more than 1.3 million, rather than more than 850,000.

SECTION 129. Amends Section 115.044(a), Local Government Code, as follows:

(a) Requires a county with a population of 372,000 to 410,000, rather than a population of 312,000 to 330,000, to conduct a biennial independent audit of all books, records, and accounts of each district, county, and precinct officer, agent, or employee, including

those of the regular county auditor, and of all governmental units of the county hospitals, farms, and other institutions.

SECTION 130. Amends Section 120.001, Local Government Code, as follows:

Sec. 120.001. **APPLICABILITY.** Provides that Chapter 120 (Election for Reduction of Funding or Resources for Certain Primary Law Enforcement Agencies) applies only to a county with a population of more than 1.2 million, rather than more than one million.

SECTION 131. Amends Section 143.0052(a), Local Government Code, as follows:

(a) Provides that Section 143.0052 (Fee for Emergency Medical Services) applies only to a municipality that:

(1) has a population of more than 220,000 and less than 275,000, rather than less than 250,000; and

(2)-(3) makes no changes to these subdivisions.

SECTION 132. Amends Section 143.025(l), Local Government Code, as follows:

(l) Authorizes an examination for a beginning position in the fire department, in a municipality with a population of more than 1.4 million, rather than more than 1.3 million, and less than 2 million, to include testing instruments to be used in addition to the written examination in the establishment of the initial eligibility list.

SECTION 133. Amends the heading to Section 143.114, Local Government Code, to read as follows:

Sec. 143.114. **ASSIGNMENT PAY IN MUNICIPALITY WITH POPULATION OF 1.5 MILLION OR MORE.**

SECTION 134. Amends Sections 152.032(b), (d), and (e), Local Government Code, as follows:

(b) Provides that this subsection applies only to a county that employs an arena venue project manager hired as of March 7, 2001, and that has a population of less than 2.1 million, rather than less than 1.8 million, in which a municipality with a population of more than one million is located.

(d) Provides that this subsection applies only to:

(1)-(2) redesignates Subdivisions (2) and (3) as Subdivisions (1) and (2);

(3) a county with a population of more than 11,000 and less than 11,350, rather than less than 11,650; and

(4) a county that:

(A) makes no changes to this paragraph; and

(B) has a population of more than 44,500 and less than 46,500, rather than more than 36,000 and less than 40,000.

Deletes existing text providing that this subsection applies only to a county with a population of more than 108,000 and less than 110,000. Makes nonsubstantive changes.

(e) Provides that this subsection applies only to a county with a population of more than 1.2 million, rather than more than one million, that uses an automated system to enhance internal controls of county finances through the use of automated edit checks of its automated purchasing system and its comprehensive automated payroll system.

SECTION 135. Amends Section 152.904(c), Local Government Code, to require the commissioners court of a county with a population of 315,000 to 351,000, rather than a population of 285,000 to 300,000, to set the annual salary of the county judge at an amount equal to or greater than 90 percent of the salary, including supplements, of any district judge in Galveston County.

SECTION 136. Amends Section 158.008(e), Local Government Code, to provide that a member of the commissioners court of a county with a population of 2.5 million or more, rather than two million or more, is not prohibited from being appointed to the civil service commission.

SECTION 137. Amends Section 161.001, Local Government Code, as follows:

Sec. 161.001. **APPLICABILITY OF CHAPTER.** Provides that Chapter 161 (County Ethics Commission in Certain Counties) applies only to:

(1) a county that:

(A) contains a municipality that has a population of 500,000 or more, rather than has a population of 800,000 or more; and

(B)-(C) makes no changes to these paragraphs;

(2) makes no changes to this subdivision; and

(3) a county that has a population of less than 50,000, rather than less than 40,000, that is adjacent to a county with a population of more than 3.3 million.

SECTION 138. Amends Section 170.002(a), Local Government Code, to provide that Section 170.002 (Code of Ethics for Certain Commissioners Courts) applies to a county that has a population of less than 50,000, rather than less than 40,000, that is adjacent to a county with a population of more than 3.3 million.

SECTION 139. Amends Section 180.003(a), Local Government Code, as follows:

(a) Prohibits a sheriff, deputy, constable, or other peace officer of the county or a municipality located in the county, in a county with a population of 372,000 to 400,000, rather than a population of 312,000 to 330,000, from being required to be on duty more than 48 hours a week unless the peace officer is called on by a superior officer to serve during an emergency as determined by the superior officer.

SECTION 140. Amends Section 212.0146(a), Local Government Code, to provide that Section 212.0146 (Replatting Without Vacating Preceding Plat: Certain Municipalities) applies only to a replat of a subdivision or a part of a subdivision located in a municipality or the extraterritorial jurisdiction of a municipality with a population of 1.4 million or more, rather than 1.3 million or more.

SECTION 141. Amends Section 212.151, Local Government Code, as follows:

Sec. 212.151. **MUNICIPALITY COVERED BY SUBCHAPTER.** Provides that Subchapter F (Enforcement of Land Use Restrictions Contained in Plats and Other Instruments) applies only to a municipality:

(1) makes no changes to this subdivision;

(2) with a population of less than 4,500, rather than less than 4,000, that is located in two counties, one of which has a population greater than 45,000 and borders Lake Lyndon B. Johnson; or

(3) makes no changes to this subdivision.

SECTION 142. Amends Section 214.003(b-1), Local Government Code, as follows:

(b-1) Provides that this subsection applies only to a municipality wholly or partly located in a county that is located along the international border and contains a municipality with a population of 500,000 or more, rather than a county that has a population of 800,000 or more.

SECTION 143. Amends Section 214.161, Local Government Code, as follows:

Sec. 214.161. MUNICIPALITY COVERED BY SUBCHAPTER. Provides that Subchapter E (Commercial Building Permits in Certain Populous Municipalities) applies only to a municipality with a population of more than 1.18 million located primarily in a county with a population of 2.5 million or more, rather than 2 million or more.

SECTION 144. Amends Section 214.233(a), Local Government Code, to authorize a municipality located in a county with a population of 2.5 million or more, rather than two million or more, to adopt an ordinance requiring owners of vacant buildings to register their buildings by filing a registration form with a designated municipal official.

SECTION 145. Amends Section 229.003(a), Local Government Code, as follows:

(a) Provides that Section 229.003 (Regulation of Discharge of Weapon by Certain Municipalities) applies only to a municipality located wholly or partly in a county:

- (1) with a population of one million or more, rather than 750,000 or more;
- (2) makes no changes to this subdivision; and
- (3) that is located adjacent to a county with a population of 2.5 million or more, rather than two million or more.

SECTION 146. Amends Section 232.045(a), Local Government Code, to provide that Section 232.045 (Applicability of Infrastructure Requirements to Lots Undeveloped for 25 Years or More) applies only to a county that is adjacent to an international border and contains a municipality with a population of 500,000 or more, rather than a county with a population of more than 800,000 that is adjacent to an international border.

SECTION 147. Amends Section 232.151, Local Government Code, as follows:

Sec. 232.151. APPLICABILITY. Provides that Subchapter F (Abandoned, Unoccupied, and Undeveloped Platted Lots in Certain Counties) applies to a county that:

- (1) contains a municipality with a population of more than 500,000, rather than has a population of more than 800,000; and
- (2)-(3) makes no changes to these subdivisions.

SECTION 148. Amends Section 234.032, Local Government Code, as follows:

Sec. 234.032. APPLICABILITY. Provides that Subchapter B (Slaughterers) applies only in the unincorporated area of a county:

- (1) in which two or more municipalities with a population of 350,000 or more are wholly or primarily located;
- (2) that is adjacent to a county described by Subdivision (1); or
- (3) that is adjacent to a county described by Subdivision (2) and:

(A) has a population of not more than 55,000 and contains a municipality with a population of at least 20,000; or

(B) in which two or more municipalities with a population of 280,000 or more are partly located.

Deletes existing text providing that this subchapter applies only in the unincorporated area of a county if the county contains two or more municipalities with a population of 250,000 or more; a county adjacent to a county described by Subdivision (1); or a county adjacent to a county described by Subdivision (2) and has a population of not more than 50,000 and contains a municipality with a population of at least 20,000 or contains, wholly or partly, two or more municipalities with a population of 250,000 or more.

SECTION 149. Amends Section 240.042(a), Local Government Code, to authorize the commissioners court of a county with a population of 2.1 million or more, rather than 1.8 million or more, by order to regulate the placement of private water wells in the unincorporated area of the county to prevent certain actions.

SECTION 150. Amends Section 240.082(a), Local Government Code, to provide that Subchapter E (Communication Facility Structures) applies only to real property that is located in the unincorporated area of a county with a population of 2.1 million or more, rather than 1.8 million or more.

SECTION 151. Amends Section 242.003(a), Local Government Code, as follows:

(a) Provides that Section 242.003 (Authority of Certain Border Counties and Municipalities to Regulate Subdivisions in Extraterritorial Jurisdiction by Agreement) applies only to:

(1) a county that is located on the international border and contains a municipality with a population of 500,000 or more, rather than a county having a population of more than 800,000 and located on the international border; and

(2) a municipality that has extraterritorial jurisdiction, as defined by Section 212.001 (Definitions), in the county described by Subdivision (1).

SECTION 152. Amends Section 250.011(c), Local Government Code, as added by Chapter 315 (H.B. 738), Acts of the 87th Legislature, Regular Session, 2021, as follows:

(c) Provides that Subsection (a) (relating to prohibiting certain entities from enacting an ordinance, bylaw, order, building code, or rule requiring the installation of certain sprinkler systems in a new or existing one- or two-family dwelling) or any other does not apply to:

(1) makes no changes to this subdivision; or

(2) an emergency services district:

(A) makes no changes to this paragraph; and

(B) whose territory is located:

(i) makes no changes to this subparagraph; and

(ii) in a county that has a population of more than 1.2 million, rather than more than one million, and is adjacent to a county with a population of more than 600,000, rather than more than 420,000.

SECTION 153. Amends Section 253.001(l), Local Government Code, as follows:

(1) Provides that Subsection (b) (relating to prohibiting land owned, held, or claimed as a public square or park from being sold unless certain requirements are met) does not apply to a conveyance of park land owned by a home-rule municipality that:

(1) makes no changes to this subdivision; and

(2) has a population of more than 33,000 and less than 35,000, rather than more than 25,000 and less than 33,000.

SECTION 154. Amends Section 253.013(a), Local Government Code, as follows:

(a) Provides that Section 253.013 (Donation of Real Property of Negligible or Negative Value to Certain Private Persons) applies only to:

(1) makes no changes to this subdivision; and

(2) a municipality with a population greater than 78,000 and less than 88,000, rather than greater than 65,000 and less than 90,000, that is located in a county in which part but not all of a military installation is located.

SECTION 155. Amends Section 263.007(e)(2), Local Government Code, as follows:

(2) Authorizes the commissioners court of a county with a population of 2.1 million or more, rather than one million or more, that contains two or more municipalities with a population of 350,000 or more, rather than 250,000 or more, to lease real property owned or controlled by the county to a for-profit entity to conduct health and human service activities which the commissioners court finds to be in the public interest in a certain manner.

SECTION 156. Amends Section 263.1545(a), Local Government Code, as follows:

(a) Provides that Section 263.1545 (Broker Agreements for the Sale of Certain Surplus Property by Certain Counties) applies only to surplus property that:

(1) is owned by a county with a population of more than 1.2 million, rather than more than 1 million, and less than 1.5 million; and

(2)-(4) makes no changes to these subdivisions.

SECTION 157. Amends Section 270.005(a), Local Government Code, as follows:

(a) Authorizes the commissioners court of a county with a population of 251,000 to 260,000, rather than a population of 251,000 to 275,000, to contract with the United States government or a federal agency for certain purposes.

SECTION 158. Amends Section 272.001(h), Local Government Code, as follows:

(h) Authorizes a municipality, other than a municipality with a population of more than one million that is located primarily in a county with a population of 2.5 million or more, rather than two million or more, owning land within 5,000 feet of where the shoreline of a lake would be if the lake were filled to its storage capacity, without notice or the solicitation of bids, to sell the land to the person leasing the land for the fair market value of the land as determined by a certified appraiser.

SECTION 159. Amends Section 292.023(a), Local Government Code, as follows:

(a) Provides that Section 292.023 (Facilities in Certain Counties) applies only to a county with a population of:

(1) 32,800 to 34,000, rather than 35,500 to 36,000; or

(2) 98,000 to 105,000, rather than 85,000 to 86,500.

SECTION 160. Amends Section 292.025(a), Local Government Code, to provide that Section 292.025 (Facilities in Certain Counties) applies only to a county with a population of 35,850 to 36,000, rather than 35,050 to 35,090.

SECTION 161. Amends Section 292.027(a), Local Government Code, to provide that Section 292.027 (Tax Assessor-Collector Facilities in Certain Counties) applies only to a county with a population of 57,900 to 59,000, rather than 57,000 to 59,000.

SECTION 162. Amends Section 292.031(a), Local Government Code, to provide that Section 292.031 (Facilities Outside County Seat in Certain Counties) applies only to a county with a population of less than 50,000, rather than less than 40,000, that is adjacent to a county with a population of more than 3.3 million.

SECTION 163. Amends the heading to Chapter 307, Local Government Code, to read as follows:

**CHAPTER 307. USE OF TIDELANDS FOR PARK PURPOSES: GULF COAST
MUNICIPALITIES WITH POPULATION OF 50,000 OR MORE**

SECTION 164. Amends Section 320.0455(a), Local Government Code, as follows:

(a) Provides that Section 320.0455 (Rules in Certain Counties; Penalty for Violations) applies only to a county with a population of:

(1) makes no changes to this subdivision;

(2) 800,000 or more, rather than 580,000 or more, that is adjacent to a county with a population of 2.8 million or more; or

(3) more than 550,000 and less than 620,000, rather than more than 410,000 and less than 455,000.

SECTION 165. Amends the heading to Chapter 322, Local Government Code, to read as follows:

**CHAPTER 322. JOINT PARKS BOARD AND PARK BONDS: ADJACENT COUNTIES
WITH POPULATIONS OF 2.1 MILLION OR MORE**

SECTION 166. Amends Section 322.001, Local Government Code, as follows:

Sec. 322.001. **ELIGIBLE COUNTIES.** Authorizes two adjacent counties that each have a population of 2.1 million or more, rather than one million or more, to create a joint park board in accordance with this chapter for the purpose of providing one or more public parks for the two counties.

SECTION 167. Amends Section 327.051, Local Government Code, as follows:

Sec. 327.051. **COUNTIES AUTHORIZED TO CREATE ZOO BOARD.** Authorizes the commissioners court of a county with a population of more than 2.1 million, rather than more than 1.5 million, that is adjacent to a county with a population of more than 2.1 million, rather than more than one million, by order to authorize the creation of a zoo board under Chapter 327 (Zoological Operation and Maintenance Boards) to establish, finance, and manage facilities and services to provide conservation, education, research, public recreation, and care relating to the study and display of animals and other specimens in a public zoological park.

SECTION 168. Amends Section 334.0082(a), Local Government Code, as follows:

(a) Provides that Section 334.0082 (Venue Projects in Certain Municipalities) applies only to a municipality that:

(1) has a population of at least 250,000, rather than at least 176,000, that borders the Rio Grande, and that approved a sports and community venue project before January 1, 2009; or

(2) makes no changes to this subdivision.

SECTION 169. Amends Section 334.103(c), Local Government Code, as follows:

(c) Authorizes a county with a population of more than 2.5 million, rather than more than two million, that is adjacent to a county with a population of more than 2.1 million, rather than more than one million, to impose the tax authorized by Subchapter E (Short-Term Motor Vehicle Rental Tax) at a rate not to exceed six percent on the gross rental receipts from the rental in the county of a motor vehicle.

SECTION 170. Amends Section 334.1041(a), Local Government Code, as follows:

(a) Provides that Section 334.1041 (Rate Increase in Certain Populous Counties) applies only to a county with a population of more than 2.5 million, rather than more than two million, that is adjacent to a county with a population of more than 2.1 million, rather than more than one million.

SECTION 171. Amends Section 334.202(b-1), Local Government Code, as follows:

(b-1) Authorizes a municipality with a population of more than 700,000 within a county with a population of more than 2.1 million, rather than more than one million, adjacent to a county with a population of more than 2.5 million, rather than more than two million, to impose the tax authorized by Subchapter G (Parking Tax) at a rate not to exceed \$5 for each motor vehicle.

SECTION 172. Amends Section 334.2031(a), Local Government Code, as follows:

(a) Provides that Section 334.2031 (Rate Increase in Certain Municipalities in Certain Populous Counties) applies only to a municipality with a population of more than 700,000 within a county with a population of more than 2.1 million, rather than more than one million, that is adjacent to a county with a population of more than 2.5 million, rather than more than two million.

SECTION 173. Amends Section 334.2518(a), Local Government Code, to provide that Section 334.2518 (Use of Revenue by Certain Municipalities for Certain Park Facilities) applies only to a municipality that has a population of more than 1.3 million but less than 1.4 million, rather than more than 1 million but less than 1.3 million.

SECTION 174. Amends Section 334.254(c), Local Government Code, as follows:

(c) Authorizes a county with a population of more than 2.5 million, rather than more than two million, that is adjacent to a county with a population of more than 2.1 million, rather than more than one million, except as provided by Subsection (d) (relating to prohibiting a municipality or county from proposing certain tax rates), to impose the tax authorized by Subchapter H (Hotel Occupancy Taxes) at any rate not to exceed three percent of the price paid for a room in a hotel.

SECTION 175. Amends Section 335.076(a), Local Government Code, as follows:

(a) Provides that Section 335.076 (Contracts with Historically Underutilized Businesses) applies only in relation to an approved venue project constructed and operated under the authority of a district in a county with a population of more than 2.5 million, rather than

more than two million, that is adjacent to a county with a population of more than 2.1 million, rather than more than one million.

SECTION 176. Amends Section 342.901(a), Local Government Code, as follows:

(a) Provides that Section 342.901 (Fire Suppression Standards in Certain Municipalities) applies to a general law municipality that:

(1) makes no changes to this subdivision;

(2) is located in a county that:

(A) has a population of more than 1.2 million, rather than more than one million; and

(B) is adjacent to a county with a population of more than 600,000, rather than more than 420,000; and

(3) makes no changes to this subdivision.

SECTION 177. Amends the heading to Subchapter B, Chapter 343, Local Government Code, to read as follows:

**SUBCHAPTER B. PROVISIONS APPLICABLE TO MUNICIPALITIES WITH A
POPULATION OF MORE THAN 1.3 MILLION**

SECTION 178. Amends Section 343.011, Local Government Code, as follows:

Sec. 343.011. APPLICATION. Provides that this subchapter applies only to a municipality with a population of more than 1.3 million, rather than more than 850,000.

SECTION 179. Amends Section 344.051(a-1), Local Government Code, as follows:

(a-1) Authorizes the governing body of a municipality to propose the creation of a fire control, prevention, and emergency medical services district under Chapter 344 (Fire Control, Prevention, and Emergency Medical Services Districts) if the municipality:

(1) makes no changes to this subdivision; and

(2) is located in a county with a population of one million or more, rather than 750,000 or more:

(A) makes no changes to this paragraph; and

(B) that is adjacent to a county with a population of 2.5 million or more, rather than two million or more.

SECTION 180. Amends Section 351.04155(a), Local Government Code, as follows:

(a) Provides that Section 351.04155 (Commissary Operation by Sheriff in Certain Counties) applies only to a county that:

(1) has a population of 2.1 million or more, rather than one million or more;

(2) has two municipalities with a population of 250,000 or more, rather than 200,000 or more; and

(3) is adjacent to a county with a population of 2.1 million or more, rather than one million or more.

SECTION 181. Amends Section 351.901(b), Local Government Code, as follows:

(b) Prohibits the total amount of all donations made in a calendar year from exceeding certain amounts, including \$100,000, for a county with a population of 1.2 million or more, rather than one million or more.

SECTION 182. Amends Section 361.042(a), Local Government Code, as follows:

(a) Authorizes the commissioners court of a county with a population of 120,000 to 123,000, rather than 110,000 to 113,000, instead of providing and maintaining its own jail, to provide safe and suitable jail facilities for the county by contracting for the facilities with the governing body of the municipality that is the county seat of the county.

SECTION 183. Amends Section 362.005(a), Local Government Code, as follows:

(a) Requires the sheriff's department of a county with a population of at least 870,000, rather than at least 700,000 but not more than 800,000, that borders the Texas-Mexico border and the police department of the municipality having the largest population in that county to jointly establish and operate the Texas Transnational Intelligence Center as a central repository of real-time intelligence relating to certain information.

SECTION 184. Amends Section 371.001(a), Local Government Code, as follows:

(a) Authorizes the governing body of a municipality with a population of 1.3 million or less, rather than 900,000 or less, to appropriate from its general fund an amount not to exceed one percent of the general fund budget for that year for the purpose of advertising the municipality and promoting its growth and development.

SECTION 185. (a) Reenacts Section 372.0035(a), Local Government Code, as amended by Chapters 59 (S.B. 385), 60 (S.B. 642), 244 (H.B. 1417), 994 (H.B. 1135), 995 (H.B. 1136), 997 (H.B. 1474), and 1271 (S.B. 386), Acts of the 86th Legislature, Regular Session, 2019, as Sections 372.0035(a) and (a-1), Local Government Code, and amends it, as follows:

(a) Provides that Section 372.0035 (Common Characteristic or Use for Projects in Municipalities) applies only to:

(1) a municipality that:

(A) has a population of more than 900,000, rather than more than 650,000, and less than two million;

(B) makes a nonsubstantive change to this paragraph;

(C) has a population of more than 197,000 and less than 200,500, rather than more than 180,000 and less than 200,000;

(D) has a population of more than 256,000 and less than 257,000, rather than more than 200,000 and less than 225,000;

(E) has a population of more than 20,000 and is wholly located in a county with a population of more than 62,000 and less than 68,000, rather than more than 55,000 and less than 65,000;

(F) has a population of more than 200,000, rather than 115,000, and borders Lake Lewisville;

(G) has a population of more than 138,000, rather than more than 105,000, and is wholly located in a county with a population of less than 265,000, rather than less than 250,000; or

(H) has a population of more than 130,000 and less than 140,000, rather than more than 100,000 and less than 125,000, and is wholly located in a county with a population of more than 900,000, rather than more than 650,000; and

(2) makes nonsubstantive and conforming changes to this subdivision.

(a-1) Creates this subsection from existing text.

(b) Redesignates Section 372.0035(e), Local Government Code, as added by Chapter 997 (H.B. 1474), Acts of the 86th Legislature, Regular Session, 2019, as Section 372.0035(e-1), Local Government Code.

(c) Provides that the following provisions are repealed as duplicative of Section 372.0035(e), Local Government Code, as added by Chapter 997 (H.B. 1474), Acts of the 86th Legislature, Regular Session, 2019:

Repealer: Section 372.0035(e) (relating to authorizing a municipality that has a population of more than 115,000 and borders Lake Lewisville to undertake a project under this section only for a certain purpose), Local Government Code, as added by Chapter 59 (S.B. 385), Acts of the 86th Legislature, Regular Session, 2019.

Repealer: Section 372.0035(e), Local Government Code, as added by Chapter 1271 (S.B. 386), Acts of the 86th Legislature, Regular Session, 2019.

(d) Amends Section 372.005(b-1), Local Government Code, as follows:

(b-1) Provides that a petition for the establishment of a public improvement district described by Section 372.0035(a) or (a-1), notwithstanding Subsection (b) (relating to providing that the petition is sufficient if signed by certain persons), is sufficient only if signed by record owners of taxable real property liable for assessment under the proposal who meet certain criteria.

SECTION 186. Amends Section 372.151, Local Government Code, as follows:

Sec. 372.151. APPLICABILITY. Provides that Subchapter D (Reimbursement for Public Improvements in Certain Counties) applies only to a county that:

(1) does not wholly contain a municipality with a population of more than 50,000, rather than contains no municipality with a population of more than 50,000; and

(2) is adjacent to at least two counties, each with a population of more than 2.1 million, rather than more than one million.

SECTION 187. Amends Section 373A.003(a), Local Government Code, as follows:

(a) Provides that Chapter 373A (Homestead Preservation Districts and Reinvestment Zones) applies to a municipality with a population of more than 950,000 that is located in a uniform state service region with fewer than 940,000 occupied housing units, rather than more than 750,00 that is located in a uniform state service region with fewer than 550,000 occupied housing units, as determined by the most recent United States decennial census.

SECTION 188. Amends Section 377.051(e), Local Government Code, as follows:

(e) Authorizes a person, notwithstanding Subsection (d) (relating to requiring a person, to qualify to serve as a director, to meet certain criteria), to qualify to serve as a director of a district if the person resides in the independent school district that serves the majority of

the district and the district is located in a municipality that meets certain criteria, including having a population of more than 1,450, rather than more than 1,488, and less than 2,500 and that is located wholly in a county meeting certain requirements.

SECTION 189. Amends Section 381.001(c), Local Government Code, as follows:

(c) Requires a person appointed to the county industrial commission, in a county with a population of 15,800 to 16,800, or 16,950 to 17,400, or 18,600 to 19,000, or 24,600 to 24,800, rather than with a population of 14,600 to 14,800, or 16,615 to 16,715, or 17,800 to 18,000, or 24,600 to 24,800, to also be serving or to have served on certain entities.

SECTION 190. Amends Section 382.002, Local Government Code, as follows:

Sec. 382.002. APPLICABILITY. Provides that Chapter 382 (Improvement Projects in Certain Counties) applies only to certain counties, including a county with a population of 70,000 or more that is adjacent to a county described by Subdivision (1) (relating to providing that this chapter applies only to certain counties, including a county with a population of 1.5 million or more, other than a county that meets certain criteria) in which a municipality with a population of 90,000 or more, rather than 35,000 or more, is primarily situated and includes all or a part of the extraterritorial jurisdiction of a municipality with a population of 1.1 million or more.

SECTION 191. Amends Section 387.0031(a), Local Government Code, as follows:

(a) Provides that Section 387.0031 (Inclusion of Roads or County Property in Certain Districts) applies only to a district created by a county with a population of more than 800,000, rather than more than 580,000, that borders a county with a population of more than four million.

SECTION 192. Amends Section 392.0131(a), Local Government Code, as follows:

(a) Provides that Section 392.0131 (Merger of Certain County Housing Authorities into Municipal Housing Authorities) applies only to the merger of housing authorities operating in certain entities, including a county is located on the international border and contains a municipality with a population of 500,000 or more, rather than a county that that has a population of 800,000 or more and is located on the international border.

SECTION 193. Amends Sections 397.005(b) and (c), Local Government Code, as follows:

(b) Provides that this subsection applies only to a defense community that includes a municipality with a population of more than 125,000 located primarily in a county with a population of less than 145,000, rather than more than 110,000 located in a county with a population of less than 135,000, and that has not adopted certain regulations.

(c) Provides that this subsection applies only to a defense community that has not adopted certain regulations and that:

(1) is a county with a population of more than 1.5 million that contains a municipality in which at least 70 percent, rather than 75 percent, of the county's population resides;

(2) is a county with a population of 170,000 or more, rather 130,000 or more, that is adjacent to a county described by Subdivision (1);

(3) makes no changes to this subdivision; or

(4) is or includes a municipality that is located in a county with a population of more than 100,000 and less than 130,000, rather than of more than 130,000, that borders the Red River.

SECTION 194. Amends Sections 397.006(a) and (c), Local Government Code, to make conforming changes.

SECTION 195. Amends Section 504.002, Local Government Code, as follows:

Sec. 504.002. APPLICABILITY OF CHAPTER. Provides that Chapter 504 (Type A Corporations) applies only to a municipality that meets certain criteria, including being located within the territorial limits of, but has not elected to become a part of, a regional transportation authority meeting certain requirements, including the principal municipality of which has a population of more than 1.3 million, rather than more than 750,000.

SECTION 196. Amends Section 505.157(a), Local Government Code, to redefine "landlocked community."

SECTION 197. Amends Section 552.024(b), Local Government Code, as follows:

(b) Provides that Section 552.024 (Municipal Contract for Reclaimed Water Facility in Certain Municipalities) applies only to a home-rule municipality that meets certain criteria, including being located in two counties, only one of which has a population of at least 150,000, rather than at least 132,000, and not more than 170,000.

SECTION 198. Amends Section 552.044(1), Local Government Code, to redefine "benefitted property."

SECTION 199. Amends Section 552.913(a), Local Government Code, as follows:

(a) Provides that Section 552.913 (Combined Heating and Power Systems in Certain Municipalities) applies only to a home-rule municipality that meets certain criteria, including being located in a county adjacent to a county with a population of more than 2.5 million, rather than more than two million.

SECTION 200. Amends Section 562.016, Local Government Code, as follows:

Sec. 562.016. COUNTY WATER AND SEWER SYSTEM. (a) Authorizes a county with a population of 2.5 million or more, rather than two million or more, and any adjoining county, however, to, with the municipality's approval, serve an area within a municipality.

(b)-(c) Makes conforming changes to these subsections.

SECTION 201. Amends Section 615.002(a), Local Government Code, as follows:

(a) Provides that Section 615.002 (Regulation of Courthouse Parking Lots in Certain Counties) applies to a county with a population of:

- (1) 14,800 to 15,000, rather than 14,050 to 14,250;
- (2) 19,900 to 20,000, rather than 19,700 to 19,800;
- (3) 21,300 to 21,500, rather than 21,850 to 22,000;
- (4) 57,800 to 57,900, rather than 54,000 to 54,500;
- (5) 36,000 to 36,500, rather than 36,500 to 36,800; or
- (6) makes no changes to this subdivision.

SECTION 202. Amends Section 615.011(b), Local Government Code, as follows:

(b) Authorizes a county with a population of 44,500 to 45,500, rather than 41,500 to 42,500, to authorize the use of county equipment, machinery, and employees to construct, establish, and maintain a public airstrip in the county.

SECTION 203. Amends Section 61.018(a-1), Natural Resources Code, as follows:

(a-1) Prohibits a county attorney, district attorney, or criminal district attorney or the attorney general from filing a certain suit to obtain a temporary or permanent court order or injunction, either prohibitory or mandatory, to remove a house from a public beach if certain criteria are met, including if the house is located on a peninsula in a county with a population of more than 315,000 and less than 351,000, rather than more than 285,000 and less than 300,000, that borders the Gulf of Mexico.

SECTION 204. Amends Section 162.001(c-4), Occupations Code, as follows:

(c-4) Requires the Texas Medical Board (TMB) to certify a health organization to contract with or employ physicians licensed by TMB if the organization meets certain criteria, including being a hospital district meeting certain requirements, including being created in a county with a population of more than 1.2 million, rather than more than 800,000, that was not included in the boundaries of a hospital district before September 1, 2003.

SECTION 205. Amends Section 2026.011, Occupations Code, as follows:

Sec. 2026.011. AUTOMOBILE RACING FACILITY PROHIBITED NEAR RACETRACK IN CERTAIN COUNTIES. Prohibits an automobile racing facility from being located within 10,000 feet of a horse or greyhound racetrack that is located in a county with a population of 2.1 million or more, rather than 1.8 million or more.

SECTION 206. Amends Section 2301.6521(a), Occupations Code, to redefine "affected county."

SECTION 207. Amends Section 2308.209(b), Occupations Code, as follows:

(b) Provides that Section 2308.209 (Tow Rotation List in Certain Counties) applies only to the unincorporated area of a county meeting certain criteria, including having a population of less than 9,000, rather than less than 10,000, that is located in a national forest.

SECTION 208. Amends Section 61.021(c), Parks and Wildlife Code, as follows:

(c) Provides that Subsection (b) (relating to authorizing a documented member of the Kickapoo Traditional Tribe of Texas who holds a certain license to hunt antlerless white-tailed deer in certain circumstances) applies only to hunting on land that meets certain criteria, including being located in a county that has a population of less than 8,000, rather than less than 9,000.

SECTION 209. Amends Section 5.0622(a), Property Code, as follows:

(a) Provides that Section 5.0622 (Additional Applicability: Certain Counties) applies only to a county with a population of less than 100,000 that is located in a metropolitan statistical area as defined by the federal Office of Management and Budget that meets certain criteria, including being adjacent to a different metropolitan statistical area as defined by the federal Office of Management and Budget with a population of more than 2.5 million, rather than more than 2 million.

SECTION 210. Amends Section 201.001(a), Property Code, as follows:

(a) Provides that Chapter 201 (Restrictive Covenants Applicable to Certain Subdivisions) applies to a residential real estate subdivision that is located in whole or in part in certain areas, including in the unincorporated area of a county having a population of 50,000 or

more, rather than 40,000 or more, that is adjacent to a county having a population of 3.3 million or more, or in the incorporated area of a county having a population of 50,000 or more, rather than 40,000 or more, that is adjacent to a county having a population of 3.3 million or more.

SECTION 211. Amends Section 204.002(a), Property Code, as follows:

(a) Provides that Chapter 204 (Powers of Property Owners' Association Relating to Restrictive Covenants in Certain Subdivisions) applies only to a residential real estate subdivision, excluding a condominium development governed by Title 7 (Condominiums), rather than Title 7, Property Code, that is located in whole or in part in a county meeting certain criteria, including in a county with a population of not less than 315,000 and not more than 351,000, rather than not less than 285,000 and not more than 300,000, that is adjacent to the Gulf of Mexico and that is adjacent to a county having a population of 3.3 million or more.

SECTION 212. Amends Section 210.002, Property Code, as follows:

Sec. 210.002. APPLICABILITY OF CHAPTER. Provides that Chapter 210 (Extension or Modification of Residential Restrictive Covenants by Petition in Certain Subdivisions) applies to a residential real estate subdivision that is located in a county with a population of:

(1) more than 200,000 and less than 233,500, rather than less than 220,000; or

(2) more than 45,000 and less than 85,000 that is adjacent to a county with a population of more than 200,000 and less than 233,500, rather than more than 45,000 and less than 80,000 that is adjacent to a county with a population of more than 200,000 and less than 220,000.

SECTION 213. Amends Section 211.001(4), Property Code, to redefine "residential real estate subdivision" or "subdivision."

SECTION 214. Amends Section 211.002(a), Property Code, as follows:

(a) Provides that Chapter 211 (Amendment and Enforcement of Restrictions in Certain Subdivisions) applies only to a residential real estate subdivision or any unit or parcel of a subdivision:

(1)-(2) makes no changes to these subdivisions;

(3) all of which is located within the extraterritorial jurisdiction of a municipality located in a county that borders Lake Buchanan and has a population of at least 21,000 and less than 22,000, rather than at least 18,500 and less than 19,500; or

(4) all or part of which is located within a county that borders Lake Livingston and has a population of less than 55,000, rather than less than 50,000.

SECTION 215. Amends Section 6.41(b-2), Tax Code, as follows:

(b-2) Requires an appraisal district board of directors for a district established in a county with a population of 1.2 million or more, rather than one million or more, by resolution of a majority of the board's members to increase the size of the district's appraisal review board to a certain number.

SECTION 216. Amends Section 11.18(p), Tax Code, as follows:

(p) Provides that the exemption authorized by Subsection (d)(23) (relating to requiring that a charitable organization be organized exclusively to perform certain purposes and, except as permitted by certain subsections, engage exclusively in performing certain

charitable functions, including providing housing and related services to individuals who meet certain criteria) applies only to property that meets certain criteria, including being located in a county with a population of more than 1.2 million, rather than more than one million, and less than 1.5 million, or in a municipality with a population of more than 100,000 and less than 150,000 at least part of which is located in a county with a population of less than 5,500, rather than less than 5,000.

SECTION 217. Amends Sections 11.1825(s) and (v), Tax Code, as follows:

(s) Provides that the amount of the exemption under Section 11.1825 (Organizations Constructing or Rehabilitating Low-Income Housing: Property Not Previously Exempt) from taxation, unless otherwise provided by the governing body of a taxing unit any part of which is located in a county with a population of at least 2.1 million, rather than 1.8 million, under Subsection (x) (relating to requiring the governing body of a taxing unit, not later than a certain date, to take certain actions), for certain property, is 50 percent of the appraised value of the property.

(v) Makes a conforming change to this subsection.

SECTION 218. Amends Section 11.315(b), Tax Code, as follows:

(b) Entitles a person to an exemption from taxation by a taxing unit of an energy storage system owned by the person if certain criteria are met, including if the energy storage system meets certain requirements, including being located in a municipality with a population of at least 150,000, rather than at least 100,000, adjacent to a municipality with a population of more than two million.

SECTION 219. Amends Section 31.03(d), Tax Code, as follows:

(d) Provides that this subsection applies only to a taxing unit located in a county having a population of not less than 315,000 and not more than 351,000, rather than not less than 285,000 and not more than 300,000, that borders a county having a population of 3.3 million or more and the Gulf of Mexico.

SECTION 220. Amends Sections 31.11(a) and (i), Tax Code, as follows:

(a) Prohibits the tax collector of a taxing unit, however, from making the refund of an overpayment or erroneous payment of taxes unless certain requirements are met, including, in the case of a collector who collects taxes for one taxing unit, unless the governing body of the taxing unit also determines that the payment was erroneous or excessive and approves the refund if the amount of the refund exceeds certain amounts, including \$5,000 for a refund to be paid by a county with a population of 2.5 million or more, rather than two million or more. Makes a conforming change.

(i) Makes a conforming change to this subsection.

SECTION 221. Amends Section 156.2512(c)(1), Tax Code, to redefine "eligible barrier island coastal municipality."

SECTION 222. Amends Section 311.0091(a), Tax Code, as follows:

(a) Provides that Section 311.0091 (Composition of Board of Directors of Certain Reinvestment Zones) applies to a reinvestment zone designated by a municipality which is wholly or partially located in a county with a population of less than 2.1 million, rather than less than 1.8 million, in which the principal municipality has a population of 1.1 million or more.

SECTION 223. Amends Section 311.013(m), Tax Code, as follows:

(m) Authorizes the governing body of a municipality that is located in a county with a population of more than 2.1 million but less than 2.5 million, rather than more than 1.8 million but less than 1.9 million, or in a county with a population of 3.3 million or more by ordinance to reduce the portion of the tax increment produced by the municipality that the municipality is required to pay into the tax increment fund for the zone.

SECTION 224. Amends Section 311.017(a-1), Tax Code, as added by Chapter 137 (S.B. 1105), Acts of the 81st Legislature, Regular Session, 2009, as follows:

(a-1) Provides that this subsection applies only to a reinvestment zone created by a municipality that has a population of more than 256,000 but less than 280,000 and is the county seat of a county that has a population of 325,000 or less, rather than more than 220,000 but less than 235,000 and is the county seat of a county that has a population of 280,000 or less.

SECTION 225. Amends Section 325.021(a), Tax Code, as follows:

(a) Authorizes a county having a population of 60,000 or less, rather than 55,000 or less, that borders the Rio Grande containing a municipality with a population of more than 22,000 to take certain actions.

SECTION 226. Amends Section 327.007(a), Tax Code, as follows:

(a) Provides that the sales and use tax authorized by Chapter 327 (Municipal Sales and Use Tax for Street Maintenance), unless imposition of the tax is reauthorized as provided by Section 327.007 (Reauthorization of Tax), expires on certain dates, including, if the tax is imposed in a municipality with a population of more than 11,450 and less than 11,550, rather than in a general-law municipality with a population of 10,000 or more surrounded entirely by a municipality with a population of 1.3 million or more, a certain date.

SECTION 227. Amends Section 351.001(7), Tax Code, to redefine "eligible central municipality."

SECTION 228. Amends Sections 351.101(a), (i), (j), (o), and (p), Tax Code, as follows:

(a) Authorizes revenue from the municipal hotel occupancy tax to be used only to promote tourism and the convention and hotel industry, and that use is limited to the following:

(1)-(5) makes no changes to these subdivisions;

(6) expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity if:

(A) makes no changes to this paragraph;

(B) the municipality has a population of more than 67,000 and is located in two counties with 90 percent of the municipality's territory located in a county with a population of at least 800,000, rather than at least 580,000, and the remaining territory located in a county with a population of at least four million; or

(C) the municipality has a population of at least 200,000 and shares a border with:

(i) a municipality with a population of at least 62,000 that borders Lake Ray Hubbard and is located in two counties, one of which

has a population of less than 110,000, rather than a municipality described by Section 351.102(e)(7); and

(ii) makes no changes to this subparagraph;

(7) subject to Section 351.1076 (Allocation of Revenue: Certain Municipalities), the promotion of tourism by the enhancement and upgrading of existing sports facilities or fields if:

(A) makes no changes to this paragraph;

(B) the municipality:

(i) has a population of 80,000 or more and is located in a county that has a population of 610,000 or less, rather than 350,000 or less;

(ii) has a population of at least 80,000 but not more than 125,000 and is located in a county that has a population of less than 240,000 but more than 233,500, rather than has a population of at least 75,000 but not more than 95,000 and is located in a county that has a population of less than 200,000 but more than 160,000;

(iii) has:

(a) a population of at least 10,000 and is located in a county that has a population of more than 70,000 and borders Lake Livingston, rather than a population of at least 36,000 but not more than 39,000 and is located in a county that has a population of 100,000 or less that is not adjacent to a county with a population of more than two million; or

(b) a population of 36,000 or more and is located in a county with a population of less than 95,000 that borders Oklahoma;

(iv) has a population of at least 13,000 but less than 48,000, rather than less than 39,000, and is located in a county that has a population of at least 200,000;

(v)-(vi) makes no changes to these subparagraphs;

(vii) is located in a county that has a population of 100,000 or less, rather than has a population of at least 25,000 but not more than 26,000 and is located in a county that has a population of 90,000 or less, and the municipality has a population of:

(a) more than 24,400 and less than 25,000; or

(b) more than 28,150 and less than 31,000;

(viii)-(ix) makes no changes to these subparagraphs;

(x) has a population of more than 67,000 and is located in two counties with 90 percent of the municipality's territory located in a county with a population of at least 800,000, rather than at least 580,000, and the remaining territory located in a county with a population of at least four million; or

(xi)-(xii) makes no changes to these subparagraphs; and

(C) makes no changes to this paragraph; and

(8)-(11) makes no changes to these subdivisions.

(i) Authorizes a municipality that has a population of at least 80,000 but not more than 125,000 and that is located in a county that has a population of more than 233,500 but less than 240,000, rather than a population of at least 75,000 but not more than 95,000 and that is located in a county that has a population of more than 160,000 but less than 200,000, in addition to the purposes provided by Subsection (a), to use revenue from the municipal hotel tax to take certain actions.

(j) Authorizes a municipality that has a population of not more than 5,500, rather than not more than 5,000, and at least part of which is located less than one-eighth of one mile from a space center operated by an agency of the federal government, in addition to the purposes provided by Subsection (a), to use revenue from the municipal hotel occupancy tax for expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity.

(o) Authorizes a municipality that meets certain criteria, including having a population of not more than 15,200, rather than not more than 10,000, to use revenue from the municipal hotel occupancy tax to promote tourism and the convention and hotel industry by constructing, operating, or expanding a sporting related facility or sports field owned by the municipality, in certain circumstances.

(p) Authorizes a municipality with a population of more than 70,000 but less than 115,000 that is located in two counties, one of which has a population of at least 1.1 million but less than 1.9 million, rather than a municipality with a population of more than 48,000 but less than 95,000 that is located in two counties, one of which has a population of at least 900,000 but less than 1.7 million, in addition to the purposes provided by Subsection (a), to use revenue from the municipal hotel occupancy tax to promote tourism and the convention and hotel industry by constructing, improving, equipping, repairing, maintaining, operating, or expanding a coliseum or multiuse facility if certain criteria are met.

SECTION 229. Amend Section 351.1015(b), Tax Code, as follows:

(b) Provides Section 351.1015 (Certain Qualified Projects) applies only to a qualified project located in a municipality with a population of at least 700,000 but less than 950,000, rather than at least 650,000 but less than 750,000, according to the most recent federal decennial census.

SECTION 230. Amends Section 351.102(e), Tax Code, as follows:

(e) Provides that Subsection (b) (relating to authorizing a municipality described by Subsection (e) to pledge the revenue derived from a certain tax for certain purposes) applies only to:

(1) makes no changes to this subdivision;

(2) a municipality with a population of 700,000 or more but less than 1.4 million, rather than less than 1.3 million;

(3) a municipality with a population of 350,000 or more but less than 450,000 in which at least two professional sports stadiums are located, each of which meets certain criteria; and

(4) makes no changes to this subdivision.

SECTION 231. Amends Section 351.104(a), Tax Code, as follows:

(a) Provides that Section 351.104 (Allocation of Revenue: Certain Municipalities Bordering Bays) applies only to a home-rule municipality that borders a bay, that has a population of less than 85,000, rather than less than 80,000, and that is not an eligible coastal municipality.

SECTION 232. Amends Section 351.1066(a), Tax Code, as follows:

(a) Provides that Section 351.1066 (Allocation of Revenue: Certain Municipalities) applies only to:

(1) makes no changes to this subdivision;

(2) a municipality with a population of at least 2,800, rather than at least 2,900, but less than 3,500 that meets certain criteria;

(3) a municipality with a population of at least 8,000, rather than at least 7,500, that meets certain criteria; and

(4)-(7) makes no changes to these subdivisions.

SECTION 233. Amends Section 351.10692(a), Tax Code, as follows:

(a) Provides that Section 351.10692 (Allocation of Revenue: Certain Municipalities) applies only to a municipality with a population of less than 5,000, rather than less than 2,000, located in a county that:

(1) makes no changes to this subdivision;

(2) has a population of:

(A) makes no changes to this paragraph; or

(B) at least 200,000 but not more than 300,000, rather than at least 100,000 but not more than 200,000.

SECTION 234. Amends Section 351.1071(a), Tax Code, as follows:

(a) Provides that Section 351.1071 (Allocation of Revenue: Certain Municipalities) applies only to a municipality that meets certain criteria, including that has a population of not more than 5,500, rather than not more than 5,000.

SECTION 235. Amends Section 351.10712(a), Tax Code, as follows:

(a) Provides that Section 351.10712 (Allocation of Revenue for Construction and Maintenance of Sports-Related Facilities by Certain Municipalities) applies only to certain municipalities, including a municipality with a population of at least 95,000 that is located in a county that is bisected by United States Highway 385 and has a population of not more than 170,000, rather than not more than 140,000.

SECTION 236. Amends Section 351.152, Tax Code, as follows:

Sec. 351.152. APPLICABILITY. Provides that Subchapter C (Municipal Hotel and Convention Center Projects) applies only to:

(1)-(4) makes no changes to these subdivisions;

(5) a municipality that contains more than 70 percent, rather than 75 percent, of the population of a county with a population of 1.5 million or more;

(6) a municipality with a population of 175,000 or more, rather than 150,000 or more, but less than 200,000 that is partially located in at least one county with a population of 125,000 or more;

(7) a municipality with a population of 250,000 or more, rather than 150,000 or more, but less than one million that is located in one county with a population of 2.5 million, rather than 2.3 million, or more;

(8)-(10) makes no changes to these subdivisions;

(11) a municipality with a population of at least 95,000 that is located in a county that is bisected by United States Highway 385 and has a population of not more than 170,000, rather than a municipality with a population of 99,900 or more but less than 111,000 that is located in a county with a population of 135,000 or more;

(12) makes no changes to this subdivision;

(13) a municipality with a population of 28,000 or more but less than 31,000 that is located in two counties, each of which has a population of 900,000 or more and a southern border with a county with a population of 2.5 million or more, rather than a municipality with a population of 9,000 or more but less than 10,000 that is located in two counties, each of which has a population of 662,000 or more and a southern border with a county with a population of 2.3 million or more;

(14)-(15) makes no changes to these subdivisions;

(16) a municipality with a population of 45,000 or more that meets certain criteria, including being located in two counties, one of which has a population of 2.5 million or more and one of which has a population of 190,000 or more, rather than one of which has a population of two million or more and one of which has a population of 149,000 or more;

(17) a municipality with a population of less than 10,000, rather than less than 6,000, that:

(A) is almost wholly located in a county with a population of 900,000 or more that is adjacent to a county with a population of 2.5 million or more, rather than almost wholly located in a county with a population of 600,000 or more that is adjacent to a county with a population of two million or more;

(B) is partially located in a county with a population of 2.1 million or more that is adjacent to a county with a population of 2.5 million or more, rather than is partially located in a county with a population of 1.8 million or more that is adjacent to a county with a population of two million or more;

(C)-(D) makes no changes to these paragraphs;

(18) a municipality with a population of 60,000 or more, rather than 56,000 or more, that meets certain criteria, including being located in two counties, one of which has a population of less than 110,000, rather than less than 80,000;

(19) a municipality with a population of 110,000 or more, rather than 83,000 or more, that meets certain criteria, including being primarily located in a county with a population of less than 355,000, rather than less than 300,000;

(20) makes no changes to this subdivision;

(21) a municipality with a population of 75,000 or more that meets certain criteria, including being located wholly in one county with a population of 800,000 or more, rather than 575,000 or more, that is adjacent to a county with a population of four million or more;

(22) a municipality with a population of less than 70,000, rather than less than 75,000, that is located in three counties, at least one of which has a population of four million or more;

(23) an eligible coastal municipality with a population of 2,900 or more, rather than 3,000 or more, but less than 5,000;

(24)-(25) makes no changes to these subdivisions;

(26) a municipality with a population of 25,000 or more but less than 30,000, rather than 20,000 or more but less than 25,000, that meets certain criteria;

(27)-(30) makes no changes to these subdivisions;

(31) a municipality with a population of 70,000 or more but less than 115,000 that is located in two counties, one of which has a population of 1.1 million or more but less than 1.9 million, rather than a municipality with a population of 48,000 or more but less than 95,000 that is located in two counties, one of which has a population of 900,000 or more but less than 1.7 million;

(32)-(34) makes no changes to these subdivisions;

(35) a municipality that is the county seat of a county that meets certain criteria, including being adjacent to a county with a population of 2.1 million or more, rather than 1.8 million or more;

(36) a municipality that is the county seat of a county that meets certain criteria, including having a population of 800,000 or more, rather than 585,000 or more;

(37) makes no changes to this subdivision;

(38) a municipality with a population of less than 17,000, rather than less than 6,100, that meets certain criteria, including being located in two counties, each of which has a population of 900,000 or more, rather than 600,000 or more, but less than two million;

(39) makes no changes to this subdivision;

(40) a municipality with a population of 3,200 or more, rather than 4,000 or more, that meets certain criteria;

(41)-(44) makes no changes to these subdivisions; and

(45) a municipality that meets certain criteria, including being located in two counties with 90 percent of the municipality's territory located in a county with a population of at least 800,000, rather than at least 580,000, and the remaining territory located in a county with a population of at least four million.

SECTION 237. Amends Sections 352.002(a), (a-1), (d), (p), and (y), Tax Code, as follows:

(a) Authorizes the commissioners courts of the following counties by the adoption of an order or resolution to impose a tax on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs \$2 or more each day, and is ordinarily used for sleeping:

(1)-(8) makes no changes to these subdivisions;

(9) a county that has a population of less than 12,500 and an area of less than 275 square miles and does not border a county that borders Arkansas and Louisiana;

(10) makes no changes to this subdivision;

(11) a county that borders a county with a population of more than 300,000 and the United Mexican States and has a population of more than 300,000 and less than 900,000, rather than less than 800,000;

(12)-(21) makes no changes to these subdivisions;

(22) a county that has a population of 35,000 or less, rather than a population of more than 15,000 but less than 20,000, and borders Lake Buchanan; and

(23)-(29) makes no changes to these subdivisions.

(a-1) Provides that an airport, for the purposes of this subsection, is considered to be essential to the economy of a county only if the airport is a commercial-service international airport within Class C airspace and is located in a county and owned by a municipality each having a population of less than 170,000, rather than less than 150,000.

(d) Provides that this subsection does not apply to:

(1) a county authorized by Subsection (a)(6) (relating a county that borders the Gulf of Mexico) to impose the tax that:

(A) has a population of less than 50,000, rather than less than 40,000, and adjoins the most populous county in this state; or

(B) makes no changes to this paragraph; or

(2) a county authorized by Subsection (a)(9) to impose the tax that has a population of more than 11,000, rather than more than 9,000.

(p) Authorizes the commissioners court of a county that has a population of 100,000, rather than 80,000 or less, in which two state parks are located, and through which the Colorado River flows but that is not bordered by that river to impose a tax as authorized by Subsection (a).

(y) Authorizes the commissioners court of a county with a population of 170,000, rather than 110,000 or more, through which the Guadalupe River flows to impose a tax as provided by Subsection (a). Provides that the tax imposed under this subsection does not apply to a hotel located in a municipality that meets certain criteria, including having a population of 80,000 or more, rather than 50,000 or more.

SECTION 238. Amends Section 352.003(e), Tax Code, as follows:

(e) Prohibits the tax rate in a county authorized to impose the tax under Section 352.002(a)(6) and that has a population of less than 50,000, rather than less than 40,000, and adjoins the most populous county in this state from exceeding three percent of the price paid for a room in a hotel.

SECTION 239. Amends Section 22.053(a), Transportation Code, as follows:

(a) Authorizes the commissioners court of a county with a population of 12,200 to 12,400, rather than 14,300 to 14,500, to issue time warrants to take certain actions.

SECTION 240. Amends Section 172.211(a), Transportation Code, as follows:

(a) Provides that Section 172.211 (Other Powers of County, District, and Navigation District) applies only to a county that meets certain criteria, including having a population of 370,000 or more, rather than 300,000 or more.

SECTION 241. Amends Section 223.052(a), Transportation Code, as follows:

(a) Provides that Section 223.052 (Notification by Certain Municipalities of Scheduled Event) applies only to a municipality that:

(1) is partially located in three counties, two of which have a population of 2.1 million or more, rather than 1.8 million or more;

(2) is primarily located in a county with a population of 2.1 million or more, rather than 1.8 million or more; and

(3) makes no changes to this subdivision.

SECTION 242. Amends Section 284.002(a), Transportation Code, as follows:

(a) Provides that Chapter 284 (Causeways, Bridges, Tunnels, Turnpikes, Ferries, and Highways in Certain Counties), except as provided by Subsection (b) (relating to providing that a certain local government corporation has the same powers as a county acting under this chapter), applies only to a county that:

(1) makes no changes to this subdivision;

(2) has a population of 2.5 million or more, rather than two million or more;

(3) is adjacent to a county that has a population of 2.5 million or more, rather than two million or more; or

(4) makes no changes to this subdivision.

SECTION 243. Amends Section 285.001(b), Transportation Code, as follows:

(b) Authorizes the commissioners court of a county with a population of more than 870,000, rather than more than 700,000 and less than 800,000, that borders the United Mexican States by order to regulate certain activities in a certain manner.

SECTION 244. Amends Section 362.055, Transportation Code, as follows:

Sec. 362.055. EXCEPTION. Makes conforming changes to this section.

SECTION 245. Amends Section 366.031(a), Transportation Code, to make a conforming change.

SECTION 246. Amends Section 370.192, Transportation Code, as follows:

Sec. 370.192. PROPERTY OF RAPID TRANSIT AUTHORITIES. Prohibits an authority from condemning or purchasing real property of a rapid transit authority operating pursuant to Chapter 451 (Metropolitan Rapid Transit Authorities) that was confirmed before July 1, 1985, and in which the principal municipality has a population of less than 1.3 million, rather than less than 850,000, unless the authority has entered into a written agreement with the rapid transit authority specifying the terms and conditions under which the condemnation or the purchase of the real property will take place.

SECTION 247. Amends Section 396.041(c), Transportation Code, as follows:

(c) Authorizes an ordinance to:

(1) makes no changes to this subdivision;

(2) impose a fee of not more than:

(A) \$150 for the issuance or renewal of a license, if the ordinance is adopted by the commissioners court of a county with a population of 2.1 million or more, rather than one million or more, that contains two or more municipalities, each of which has a population of 350,000 or more, rather than 250,000 or more; or

(B) makes no changes to this paragraph; or

(3)-(4) makes no changes to these subdivisions.

SECTION 248. Amends Section 451.061(d-1), Transportation Code, as follows:

(d-1) Provides that the establishment of or a change to fares, tolls, charges, rents, and other compensation by an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 1.3 million, rather than less than 850,000, takes effect immediately in certain circumstances.

SECTION 249. Amends Section 451.068(a), Transportation Code, to make a conforming change.

SECTION 250. Amends Section 451.071(a), Transportation Code, to make a conforming change.

SECTION 251. Amends Section 451.106(a), Transportation Code, to make a conforming change.

SECTION 252. Amends Section 451.108(c), Transportation Code, to make a conforming change.

SECTION 253. Amends Section 451.109(d), Transportation Code, to make a conforming change.

SECTION 254. Amends Section 451.3625(a), Transportation Code, to make a conforming change.

SECTION 255. Amends Section 451.452(d), Transportation Code, to make a conforming change.

SECTION 256. Amends Section 451.454(a), Transportation Code, to make a conforming change.

SECTION 257. Amends Section 451.458(a), Transportation Code, to make a conforming change.

SECTION 258. Amends Section 451.460(a), Transportation Code, to make a conforming change.

SECTION 259. Amends Section 451.5021(a), Transportation Code, to make a conforming change.

SECTION 260. Amends Section 451.506(c), Transportation Code, to make a conforming change.

SECTION 261. Amends Sections 451.509(a), (c), and (d), Transportation Code, to make conforming changes.

SECTION 262. Amends Section 451.512(a), Transportation Code, to make a conforming change.

SECTION 263. Amends Section 451.513(a), Transportation Code, to make a conforming change.

SECTION 264. Amends Section 451.602, Transportation Code, as follows:

Sec. 451.602. AUTHORITIES COVERED BY SUBCHAPTER. Makes a conforming change to this section.

SECTION 265. Amends Section 502.403(f), Transportation Code, to make conforming changes.

SECTION 266. Amends Section 541.201(1), Transportation Code, to redefine "authorized emergency vehicle."

SECTION 267. Amends Section 644.101(b), Transportation Code, as follows:

(b) Provides that a police officer of any of the following municipalities is eligible to apply for certification under Section 644.101 (Certification of Certain Peace Officers):

(1)-(8) makes no changes to these subdivisions;

(9) a municipality located in a county with a population between 60,000 and 69,000, rather than between 60,000 and 66,000, adjacent to a bay connected to the Gulf of Mexico;

(10)-(11) makes no changes to these subdivisions;

(12) a municipality with a population of more than 4,500, rather than more than 3,000, and less than 10,000 that meets certain criteria, including being located in a county with a population between 175,000 and 190,000, rather than between 150,000 and 155,000;

(13) makes no changes to this subdivision;

(14) a municipality with a population between 13,900 and 17,000, rather than between 14,000 and 17,000, that meets certain criteria; or

(15) makes no changes to this subdivision.

SECTION 268. Amends Section 644.202(b), Transportation Code, to make a conforming change.

SECTION 269. Amends Section 701.001(c), Transportation Code, to provide that the limitation on the number of deputies that are authorized to be employed under certain subsections does not apply to a county with a population of more than 2.5 million, rather than two million.

SECTION 270. Amends Section 35.037(a), Utilities Code, as added by Chapter 426 (S.B. 3), Acts of the 87th Legislature, Regular Session, 2021, as follows:

(a) Provides that Section 35.037 (Facilitating Certain Intercompany Landfill Gas-to-Electricity Use) only applies in a county with a population of more than 1.2 million, rather than more than one million, in which a national wildlife refuge is wholly or partly located.

SECTION 271. Amends Section 36.354(g), Utilities Code, to redefine "military base."

SECTION 272. Amends Section 37.102(a), Utilities Code, as follows:

(a) Requires the Public Utility Commission of Texas (PUC), if a municipal corporation offers retail electric utility service in a municipality having a population of more than 151,000, rather than more than 145,000, that is located in a county having a population of more than 2.5 million, rather than more than 2 million, to singly certificate areas in the municipality's boundaries in which more than one electric utility provides electric utility service.

SECTION 273. Amends Section 13.1395(a)(1), Water Code, to redefine "affected utility."

SECTION 274. Amends Sections 13.245(c-5) and (c-6), Water Code, as follows:

(c-5) Provides that certain subsections do not apply to certain counties, including a county with a population of more than 30,000 and less than 36,000, rather than less than 35,000, that borders the Red River.

(c-6) Provides that certain subsections do not apply to certain counties, including a county with a population of 170,000 or more, rather than 130,000 or more, that is adjacent to a county with a population of 1.5 million or more that is within 200 miles of an international border.

SECTION 275. Amends Sections 13.2451(b-2) and (b-3), Water Code, to make conforming changes.

SECTION 276. Amend Sections 13.254(a-10) and (a-11), Water Code, to make conforming changes.

SECTION 277. Amends Section 13.2541(b), Water Code, as follows:

(b) Provides that the the owner of a tract of land that is at least 25 acres and that is not receiving water or sewer service, as an alternative to decertification or expedited release under Section 13.254 (Decertification Initiated by Utility Commission or Utility; Expedited Release Initiated by Landowner), is authorized to petition for expedited release of the area from a certificate of public convenience and necessity in the manner provided by Section 13.2541 (Streamlined Expedited Release Initiated by Landowner) and is entitled to that release if the landowner's property is located in a county with a population of at least 1.2 million, a county adjacent to a county with a population of at least 1.2 million, or a county with a population of more than 200,000 and less than 233,500 that does not contain a public or private university that had a total enrollment in the most recent fall semester of 40,000 or more, and not in a county that has a population of more than 50,500 and less than 52,000, rather than a county with a population of at least one million, a county adjacent to a county with a population of at least one million, or a county with a population of more than 200,000 and less than 220,000 that does not contain a public or private university that had a total enrollment in the most recent fall semester of 40,000 or more, and not in a county that has a population of more than 45,500 and less than 47,500.

SECTION 278. Amends Section 26.179(o), Water Code, as follows:

(o) Provides that Section 26.179 (Designation of Water Quality Protection Zones in Certain Areas) does not apply to an area within the extraterritorial jurisdiction of a municipality with a population greater than 1.3 million, rather than greater than 900,000, that meets certain criteria.

SECTION 279. Amends Section 26.3476(b), Water Code, as follows:

(b) Requires that an underground storage tank system, at a minimum, incorporate a method for secondary containment if the system is located in certain areas, including a

county that meets certain criteria, including having a population of at least 1.2 million, rather than at least one million, and relies on groundwater for at least 75 percent of the county's water supply.

SECTION 280. Amends Section 36.121, Water Code, as follows:

Sec. 36.121. LIMITATION ON RULEMAKING POWER OF DISTRICTS OVER WELLS IN CERTAIN COUNTIES. Requires a district that is created under Chapter 36 (Groundwater Conservation Districts) on or after September 1, 1991, except as provided by Section 36.117 (Exemptions; Exception; Limitations), to exempt from regulation under this chapter a well and any water produced or to be produced by a well that is located in a county that has a population of 15,500 or less, rather than 14,000 or less, if the water is to be used solely to supply a municipality that has a population of 125,500 or less, rather than 121,000 or less, and the rights to the water produced from the well are owned by a political subdivision that is not a municipality, or by a municipality that has a population of 133,000 or less, rather than 115,000 or less, and that purchased, owned, or held rights to the water before the date on which the district was created, regardless of the date the well is drilled or the water is produced.

SECTION 281. Amends Section 51.537(a), Water Code, to provide that Section 51.537 (Municipality's Authority Regarding Defined Area) applies only to a municipality any portion of which is located in a county with a population of more than 1.2 million, rather than more than 1 million, and less than 1.5 million.

SECTION 282. Amends Section 54.016(h), Water Code, as follows:

(h) Authorizes a city, other than a city with a population of more than one million that is located primarily in a county with a population of 2.5 million or more, rather than two million or more, to provide in its written consent for the inclusion of land in a district that after annexation the city is authorized to set rates for water and/or sewer services for property that was within the territorial boundary of such district at the time of annexation, which rates are authorized to vary from those for other properties within the city for the purpose of wholly or partially compensating the city for the assumption of obligation under this code providing that certain criteria are met.

SECTION 283. Amends Section 54.813(a), Water Code, to provide that Section 54.813 (Municipality's Authority Regarding Defined Area) applies only to a municipality any portion of which is located in a county with a population of more than 1.2 million, rather than more than 1 million, and less than 1.5 million.

SECTION 284. Amends Section 1, Chapter 511 (H.B. 589), Acts of the 58th Legislature, Regular Session, 1963 (Article 2676a, Vernon's Texas Civil Statutes), as follows:

Sec. 1. Provides that from and after the effective date of this act in any county in this state having a population of not less than 372,000 and not more than 400,000, rather than a population of not less than 312,000 and not more than 330,000, the general management and control of the public free schools and high schools in each county unless otherwise provided by law is required to be vested in five (5) county school trustees elected from the county, one of whom is required to be elected from the county at large by the qualified voters of the county and one from each commissioners precinct by the qualified voters of each commissioners precinct, who is required to hold office for a term of two (2) years.

SECTION 285. Amends Section 1, Chapter 233 (H.B. 459), Acts of the 59th Legislature, Regular Session, 1965 (Article 2676b, Vernon's Texas Civil Statutes), to provide that this Act applies to a county-wide school district in a county having a population of more than 4,700 and less than 4,900, rather than more than 5,250 and less than 5,350.

SECTION 286. Amends Section 1(b), Chapter 63 (S.B. 100), Acts of the 57th Legislature, 3rd Called Session, 1962 (Article 2688h, Vernon's Texas Civil Statutes), as follows:

(b) Provides that from and after May 1, 1962, the office of the county board of school trustees and the office of county superintendent is required to cease to exist in any county in this state having a population of not less than 315,000 and not more than 351,000, rather than a population of not less than 285,000 and not more than 300,000, which has no common school district and whose county ad valorem evaluation is in excess of Two Hundred Fifty Million Dollars (\$250,000,000); provided, however, that the county superintendents in such counties who have been heretofore elected or appointed to the office of county superintendent are required to serve until the expiration of the term for which they were elected or appointed.

SECTION 287. Amends Sections 5 and 6, Chapter 706 (H.B. 1015), Acts of the 59th Legislature, Regular Session, 1965 (Article 2688i-1, Vernon's Texas Civil Statutes), as follows:

Sec. 5. Prohibits the provisions of this Act from applying to counties having a population of not less than 4,700 and not more than 4,900, rather than a population of not less than 5,250 and not more than 5,350, and to counties having a population of not less than 57,000 and not more than 57,900, rather than a population of not less than 54,000 and not more than 54,500.

Sec. 6. Prohibits any county having a population of more than 28,450 and less than 29,000 or a population of more than 31,045 and less than 31,247, rather than a population of more than 30,000 and less than 32,000, from having the offices of county school superintendent, ex officio county school superintendent, and county board of education.

SECTION 288. Amends Section 31A(b), Texas Local Fire Fighters Retirement Act (Article 6243e, Vernon's Texas Civil Statutes), as follows:

(b) Provides that Section 31A (Authority of Certain Retirement Systems to Exclude Certain Persons From Coverage) applies only to a municipality:

(1) makes no changes to this subdivision;

(2) that is located in a county with a population of not less than 2.5 million, rather than not less than 2 million, and not more than 4 million; and

(3)-(4) makes no changes to these subdivisions.

SECTION 289. Amends Section 1.01, Chapter 183 (S.B. 598), Acts of the 64th Legislature, Regular Session, 1975 (Article 6243e.1, Vernon's Texas Civil Statutes), as follows:

Sec. 1.01. APPLICABILITY. Provides that this Act applies only to a municipality having a population of more than 950,000 and less than 1,050,000, rather than more than 750,000 and less than 850,000.

SECTION 290. Amends Section 1, Chapter 103 (S.B. 622), Acts of the 62nd Legislature, Regular Session, 1971 (Article 6243f-1, Vernon's Texas Civil Statutes), as follows:

Sec. 1. Prohibits any member of a fire department in any city or town in this state having a population of not less than 900,000 nor more than 950,000, rather than a population of not less than 700,000 nor more than 750,000, from being involuntarily retired prior to reaching the mandatory retirement age set for such cities' employees unless he is physically unable to perform his duties.

SECTION 291. Amends Section 1(a), Chapter 451 (S.B. 737), Acts of the 72nd Legislature, Regular Session, 1991 (Article 6243n, Vernon's Texas Civil Statutes), to provide that a retirement system is established by this Act for employees of each municipality having a population of more than 950,000 and less than 1,050,000, rather than a population of more than 760,000 and less than 860,000.

SECTION 292. Amends Section 1.01, Chapter 452 (S.B. 738), Acts of the 72nd Legislature, Regular Session, 1991 (Article 6243n-1, Vernon's Texas Civil Statutes), as follows:

Sec. 1.01. APPLICABILITY AND DEFINITIONS. Provides that this Act applies only to a municipality having a population of more than 950,000 and less than 1,050,000, rather than a population of more than 750,000 and less than 850,000.

SECTION 293. Amends Section 1.03, Chapter 824 (S.B. 817), Acts of the 73rd Legislature, Regular Session, 1993 (Article 6243o, Vernon's Texas Civil Statutes), as follows:

Sec. 1.03. APPLICABILITY. Provides that this Act applies to paid fire and police departments of a municipality with a population between 1.4 million and 1.7 million, rather than a population between 1.3 million and 1.5 million.

SECTION 294. Amends Section 1.03, Chapter 1332 (S.B. 1568), Acts of the 75th Legislature, Regular Session, 1997 (Article 6243q, Vernon's Texas Civil Statutes), as follows:

Sec. 1.03. APPLICABILITY. Provides that this Act applies to a paid fire and police department of a municipality with a population of 1.4 million or more but less than 1.7 million, rather than a population of 1.3 million or more but less than 1.5 million.

SECTION 295. Amends Section 1, Chapter 809 (H.B. 1687), Acts of the 62nd Legislature, Regular Session, 1971 (Article 6812b-1, Vernon's Texas Civil Statutes), as follows:

Sec. 1. Authorizes the commissioners court of any county having a population of not less than 620,000 nor more than 700,000, rather than not less than 425,000 nor more than 500,000, to appoint a County Engineer, but requires that the selection be controlled by considerations of skill and ability for the task.

SECTION 296. (a) Provides that this Act is not intended to revive a law that was impliedly repealed by a law enacted by the 87th Legislature or a previous legislature.

(b) Provides that to the extent that a law enacted by the 88th Legislature, Regular Session, 2023, conflicts with this Act, the other law prevails, regardless of the relative dates of enactment or the relative effective dates.

SECTION 297. Effective date: September 1, 2023.