

By: Darby

H.B. No. 4559

A BILL TO BE ENTITLED

AN ACT

relating to the application of statutes that classify political subdivisions according to population.

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

SECTION 1. Section 147.003(a), Agriculture Code, is amended to read as follows:

(a) A person pursuing the business of selling mules, horses, jacks, or jennets in a county with a population of not less than 2.1 [~~1.8~~] million nor more than 2.2 [~~1.9~~] million is not subject to this chapter as a livestock auction commission merchant.

SECTION 2. Section 148.001, Agriculture Code, is amended to read as follows:

Sec. 148.001. DEFINITION. In this chapter, "slaughterer" means a person engaged in the business of:

(1) slaughtering livestock for profit; or

(2) selling livestock, as a primary business, to be slaughtered by the purchaser on premises owned or operated by the seller, in a county:

(A) with a population of 1.2 [~~one~~] million or more;

(B) in which [~~that contains~~] two or more municipalities with a population of 280,000 [~~250,000~~] or more are wholly or primarily located;

(C) that is adjacent to a county described by

1 Paragraph (B); or

2 (D) that is adjacent to a county described by  
3 Paragraph (C) and:

4 (i) has a population of not more than 55,000  
5 [~~50,000~~] and contains a municipality with a population of at least  
6 20,000; or

7 (ii) in which [~~contains, wholly or partly,~~]  
8 two or more municipalities with a population of 280,000 [~~250,000~~]  
9 or more are partly located.

10 SECTION 3. Section [109.57](#)(e), Alcoholic Beverage Code, is  
11 amended to read as follows:

12 (e) A municipality located in a county that has a population  
13 of 2.2 million or more and that is adjacent to a county with a  
14 population of more than 850,000 [~~600,000~~] or a municipality located  
15 in a county with a population of 850,000 [~~600,000~~] or more and that  
16 is adjacent to a county with a population of 2.2 million or more may  
17 regulate, in a manner not otherwise prohibited by law, the location  
18 of an establishment issued a permit under Chapter [32](#) if:

19 (1) the establishment derives 35 percent or more of  
20 the establishment's gross revenue from the on-premises sale or  
21 service of alcoholic beverages and the premises of the  
22 establishment are located in a dry area; and

23 (2) the permit is not issued to a fraternal or veterans  
24 organization or the holder of a food and beverage certificate.

25 SECTION 4. Section [251.726](#)(a), Alcoholic Beverage Code, is  
26 amended to read as follows:

27 (a) This section applies only to a municipality that has

1 within its boundaries all or part of an international airport  
2 operated jointly by two municipalities and:

3 (1) that is:

4 (A) partially located in three counties, two of  
5 which have a population of 2.1 [~~1.8~~] million or more; and

6 (B) primarily located in a county with a  
7 population of 2.1 [~~1.8~~] million or more; or

8 (2) that:

9 (A) is partially located in five counties, one of  
10 which:

11 (i) has a population of 2.1 [~~1.8~~] million or  
12 more; and

13 (ii) is adjacent to a county with a  
14 population of 2.2 million or more;

15 (B) is subject to a limited purpose annexation  
16 and development agreement under Subchapter G, Chapter 212, Local  
17 Government Code; and

18 (C) may annex an area on request of the owners of  
19 land in the area under Subchapter C-3, Chapter 43, Local Government  
20 Code.

21 SECTION 5. Section 251.727(a), Alcoholic Beverage Code, is  
22 amended to read as follows:

23 (a) This section applies only to:

24 (1) a municipality that contains U.S. Highway 287 and  
25 State Highway 294 and is located in a county with a population of  
26 not less than 57,000 and not more than 59,000 on September 1, 2021;

27 or

1 (2) a municipality that:

2 (A) has a municipal boundary located not more  
3 than 1.5 miles from an automobile racetrack with a seating capacity  
4 of more than 100,000;

5 (B) has a population of more than 5,000 [~~1,000~~]  
6 and less than 5,500 [~~3,000~~]; and

7 (C) is located entirely within a county with a  
8 population of more than 650,000 that is adjacent to two counties,  
9 each of which has a population of more than 1.8 million.

10 SECTION 6. Section [251.742](#)(b), Alcoholic Beverage Code, is  
11 amended to read as follows:

12 (b) This section applies only to a municipality that:

13 (1) has a population of 15,000 or more; and

14 (2) is located in two counties one of which:

15 (A) has a population of 340,000 or more;

16 (B) contains a municipality in which at least 85  
17 percent of the county's population resides; and

18 (C) [~~(B)~~] borders the Gulf of Mexico.

19 SECTION 7. Article [2.21](#)(g), Code of Criminal Procedure, is  
20 amended to read as follows:

21 (g) A clerk in a county with a population of less than 2.5  
22 [~~two~~] million must provide written notice by mail to the attorney  
23 representing the state in the case and the attorney representing  
24 the defendant before disposing of an eligible exhibit.

25 SECTION 8. Article [45.014](#)(d), Code of Criminal Procedure,  
26 is amended to read as follows:

27 (d) In a county with a population of more than 2.5 [~~two~~]

1 million that does not have a county attorney, a justice or judge may  
2 not issue a warrant under this section for an offense under Section  
3 32.41, Penal Code, unless the district attorney has approved the  
4 complaint or affidavit on which the warrant is based.

5 SECTION 9. Article 45.019(g), Code of Criminal Procedure,  
6 is amended to read as follows:

7 (g) In a county with a population of more than 2.5 [~~two~~]  
8 million that does not have a county attorney, a complaint for an  
9 offense under Section 32.41, Penal Code, must be approved by the  
10 district attorney, regardless of whether a collection proceeding is  
11 initiated by the district attorney under Section 32.41(e), Penal  
12 Code.

13 SECTION 10. Article 46B.084(a)(2), Code of Criminal  
14 Procedure, is amended to read as follows:

15 (2) Notwithstanding Subdivision (1), in a county with  
16 a population of less than 1.2 [~~one~~] million or in a county with a  
17 population of four million or more, as soon as practicable  
18 following the date of the defendant's return to the court, the court  
19 shall provide the notice required by that subdivision to the  
20 attorney representing the state and the attorney for the defendant,  
21 and the attorney for the defendant shall meet and confer with the  
22 defendant as soon as practicable after the date of receipt of that  
23 notice.

24 SECTION 11. Article 46B.084(a-1)(2), Code of Criminal  
25 Procedure, is amended to read as follows:

26 (2) Notwithstanding Subdivision (1), in a county with  
27 a population of less than 1.2 [~~one~~] million or in a county with a

1 population of four million or more, the court shall make the  
2 determination described by that subdivision not later than the 20th  
3 day after the date on which the court received notification under  
4 Article 46B.079, regardless of whether a party objects to the  
5 report as described by that subdivision and the issue is set for a  
6 hearing under Subsection (b).

7 SECTION 12. Article 46B.084(d)(2), Code of Criminal  
8 Procedure, is amended to read as follows:

9 (2) Notwithstanding Subdivision (1), in a county with  
10 a population of less than 1.2 [~~one~~] million or in a county with a  
11 population of four million or more, on the court's own motion  
12 criminal proceedings in the case against the defendant shall be  
13 resumed as soon as practicable after the date of the court's  
14 determination under this article that the defendant's competency  
15 has been restored.

16 SECTION 13. Section 1, Article 49.25, Code of Criminal  
17 Procedure, is amended to read as follows:

18 Sec. 1. OFFICE AUTHORIZED. Subject to the provisions of  
19 this article, the commissioners court of any county having a  
20 population of more than 2.5 [~~two~~] million shall establish and  
21 maintain the office of medical examiner, and the commissioners  
22 court of any county may establish and provide for the maintenance of  
23 the office of medical examiner. Population shall be according to  
24 the last preceding federal census.

25 SECTION 14. Articles 102.014(a), (b), (f), and (g), Code of  
26 Criminal Procedure, are amended to read as follows:

27 (a) The governing body of a municipality with a population

1 greater than 1.3 million [~~850,000~~] according to the most recent  
2 federal decennial census that has adopted an ordinance, regulation,  
3 or order regulating the stopping, standing, or parking of vehicles  
4 as allowed by Section 542.202, Transportation Code, or Chapter 682,  
5 Transportation Code, shall by order assess on each parking  
6 violation a fine of not less than \$2 and not to exceed \$5.

7 (b) The governing body of a municipality with a population  
8 less than 1.3 million [~~850,000~~] according to the most recent  
9 federal decennial census that has adopted an ordinance, regulation,  
10 or order regulating the stopping, standing, or parking of vehicles  
11 as allowed by Section 542.202, Transportation Code, or Chapter 682,  
12 Transportation Code, may by order assess on each parking violation  
13 a fine not to exceed \$5.

14 (f) In a municipality with a population greater than 1.3  
15 million [~~850,000~~] according to the most recent federal decennial  
16 census, the officer collecting a fine in a municipal court case  
17 shall deposit money collected under this article in the municipal  
18 child safety trust fund established as required by Chapter 106,  
19 Local Government Code.

20 (g) In a municipality with a population less than 1.3  
21 million [~~850,000~~] according to the most recent federal decennial  
22 census, the money collected under this article in a municipal court  
23 case must be used for a school crossing guard program if the  
24 municipality operates one. If the municipality does not operate a  
25 school crossing guard program or if the money received from fines  
26 from municipal court cases exceeds the amount necessary to fund the  
27 school crossing guard program, the municipality may:

1           (1) deposit the additional money in an  
2 interest-bearing account;

3           (2) expend the additional money for programs designed  
4 to enhance child safety, health, or nutrition, including child  
5 abuse prevention and intervention and drug and alcohol abuse  
6 prevention; or

7           (3) expend the additional money for programs designed  
8 to enhance public safety and security.

9           SECTION 15. Section 11.0581(a), Education Code, is amended  
10 to read as follows:

11           (a) An election for trustees of an independent school  
12 district shall be held on the same date as:

13           (1) the election for the members of the governing body  
14 of a municipality located in the school district;

15           (2) the general election for state and county  
16 officers;

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

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

22                   (B) held its election for trustees jointly with  
23 the election for the members of the governing body of the hospital  
24 district before May 2007; or

25           (4) the election for the members of the governing  
26 board of a public junior college district in which the school  
27 district is wholly or partly located.



1 SECTION 16. Section 11.065(a), Education Code, is amended  
2 to read as follows:

3 (a) Sections 11.052(g) and (h) and Sections 11.059(a) and  
4 (b) do not apply to the board of trustees of a school district if:

5 (1) the district's central administrative office is  
6 located in a county with a population of more than 2.5 [~~two~~  
7 million; and

8 (2) the district's student enrollment is more than  
9 125,000 and less than 200,000.

10 SECTION 17. Section 11.151(f), Education Code, is amended  
11 to read as follows:

12 (f) For purposes of this section, a county board of  
13 education, as defined by a board of county school trustees, and  
14 office of county school superintendent in a county with a  
15 population of 2.5 [~~2.2~~] million or more and that is adjacent to a  
16 county with a population of more than one million [~~800,000~~] are  
17 included within the definition of a school district and subject to  
18 the oversight of the agency.

19 SECTION 18. Section 25.093(b), Education Code, is amended  
20 to read as follows:

21 (b) The attendance officer or other appropriate school  
22 official shall file a complaint against the parent in:

23 (1) the constitutional county court of the county in  
24 which the parent resides or in which the school is located, if the  
25 county has a population of 2.1 [~~1.75~~] million or more;

26 (2) a justice court of any precinct in the county in  
27 which the parent resides or in which the school is located; or

1           (3) a municipal court of the municipality in which the  
2 parent resides or in which the school is located.

3           SECTION 19. Sections 37.011(a-2) and (a-3), Education Code,  
4 are amended to read as follows:

5           (a-2) For purposes of this section and Section 37.010(a), a  
6 county with a population greater than 125,000 is considered to be a  
7 county with a population of 125,000 or less if the county:

8                 (1) has a population of 195,000 [~~180,000~~] or less;

9                 (2) is adjacent to two counties, each of which has a  
10 population of more than 1.7 million; and

11                (3) has seven or more school districts located wholly  
12 within the county's boundaries.

13           (a-3) For purposes of this section and Section 37.010(a), a  
14 county with a population greater than 125,000 is considered to be a  
15 county with a population of 125,000 or less if the county:

16                 (1) has a population of more than 200,000 and less than  
17 233,500 [~~220,000~~];

18                 (2) has five or more school districts located wholly  
19 within the county's boundaries; and

20                 (3) has located in the county a juvenile justice  
21 alternative education program that, on May 1, 2011, served fewer  
22 than 15 students.

23           SECTION 20. Section 38.007(b), Education Code, is amended  
24 to read as follows:

25           (b) The board of trustees of a school district shall attempt  
26 to provide a safe alcohol-free environment to students coming to or  
27 going from school. The board of trustees may cooperate with local

1 law enforcement officials and the Texas Alcoholic Beverage  
2 Commission in attempting to provide this environment and in  
3 enforcing Sections 101.75, 109.33, and 109.59, Alcoholic Beverage  
4 Code. Additionally, the board, if a majority of the area of a  
5 district is located in a municipality with a population of 1.3  
6 million [~~900,000~~] or more, may petition the commissioners court of  
7 the county in which the district is located or the governing board  
8 of an incorporated city or town in which the district is located to  
9 adopt a 1,000-foot zone under Section 109.33, Alcoholic Beverage  
10 Code.

11 SECTION 21. Section 45.105(e), Education Code, is amended  
12 to read as follows:

13 (e) The governing body of an independent school district  
14 that governs a junior college district under Subchapter B, Chapter  
15 130, in a county with a population of more than 2.5 [~~two~~] million  
16 may dedicate a specific percentage of the local tax levy to the use  
17 of the junior college district for facilities and equipment or for  
18 the maintenance and operating expenses of the junior college  
19 district. To be effective, the dedication must be made by the  
20 governing body on or before the date on which the governing body  
21 adopts its tax rate for a year. The amount of local tax funds  
22 derived from the percentage of the local tax levy dedicated to a  
23 junior college district from a tax levy may not exceed the amount  
24 that would be levied by five percent of the no-new-revenue tax rate  
25 for the tax year calculated as provided by Section 26.04, Tax Code,  
26 on all property taxable by the school district. All real property  
27 purchased with these funds is the property of the school district,

1 but is subject to the exclusive control of the governing body of the  
2 junior college district for as long as the junior college district  
3 uses the property for educational purposes.

4 SECTION 22. Section 51.214(a), Education Code, is amended  
5 to read as follows:

6 (a) In any municipality with a population of 1.18 million or  
7 more located primarily in a county with a population of 2.5 [~~2~~]  
8 million or more, the governing board of a private, nonprofit  
9 medical corporation, or of the parent corporation of such medical  
10 corporation, that provides police or security services for an  
11 institution of higher education or a private postsecondary  
12 educational institution located within one of the medical  
13 corporation's or parent corporation's medical complexes, or that  
14 provides police or security services for another medical complex  
15 legally affiliated with or owned, leased, managed, or controlled by  
16 the medical corporation or parent corporation, may employ and  
17 commission police or security personnel to enforce the law of this  
18 state within the jurisdiction designated by Subsection (c).

19 SECTION 23. Section 53A.49(a), Education Code, is amended  
20 to read as follows:

21 (a) In the same manner that a corporation may issue bonds  
22 under this chapter for an institution of higher education, a  
23 corporation created under Section 53A.35(b) may issue bonds to  
24 finance or refinance educational facilities to be used by a school  
25 that:

26 (1) is located in a county with a population of more  
27 than 2.5 [~~two~~] million;

1           (2) is located within three miles of an area  
2 designated as an enterprise zone under Chapter 2303, Government  
3 Code;

4           (3) provides primary and secondary education to at  
5 least 1,000 students;

6           (4) is accredited by an organization approved by the  
7 Texas Education Agency for private school accreditation; and

8           (5) is owned and operated by a corporation created  
9 under the Texas Nonprofit Corporation Law, as described by Section  
10 1.008(d), Business Organizations Code [~~Texas Non-Profit~~  
11 ~~Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil~~  
12 ~~Statutes)]].~~

13           SECTION 24. Section 61.0764(b), Education Code, is amended  
14 to read as follows:

15           (b) The board shall select one licensed hospital located in  
16 a county that borders the United Mexican States and that has a  
17 population of [~~at least 700,000 and not~~] more than 870,000  
18 [~~800,000~~] to participate in the pilot program. The hospital must  
19 be accredited by The Joint Commission and:

20           (1) have been issued:

21                   (A) a certificate of approval to offer a program  
22 of instruction by the Texas Workforce Commission under Subchapter  
23 C, Chapter 132; or

24                   (B) a certificate of authority to award a degree  
25 for a program of study by the board under Subchapter G of this  
26 chapter;

27           (2) be accredited to offer a degree program by the

1 appropriate recognized regional accrediting agency; or

2 (3) must:

3 (A) have entered into a partnership with an  
4 institution of higher education to offer dual credit courses under  
5 the pilot program; and

6 (B) be seeking authorization to offer a program  
7 of instruction or study as described by Subdivision (1) or  
8 accreditation to offer a degree program as described by Subdivision  
9 (2).

10 SECTION 25. Section 130.082(i), Education Code, is amended  
11 to read as follows:

12 (i) The election of trustees of a countywide junior or  
13 community college district that contains a city with a population  
14 of more than 1.18 million located primarily in a county with a  
15 population of 2.5 [~~2~~] million or more shall be held on the first  
16 Saturday in April of each even-numbered year. When a runoff  
17 election is necessary, the board may order the election for a date  
18 to coincide with the date of the runoff election for city officials,  
19 if the city is holding a runoff election; otherwise, the board  
20 shall set the date of the runoff election for not later than three  
21 weeks following the regular election.

22 SECTION 26. Section 31.039(g), Election Code, is amended to  
23 read as follows:

24 (g) Section 31.035(b) does not apply to a person employed on  
25 a full-time basis by the administrator's office in a county with a  
26 population of 1.2 [~~one~~] million or less that has an election  
27 administrator.

1 SECTION 27. Section 31.160(e), Election Code, is amended to  
2 read as follows:

3 (e) The joint elections administrator for a county with a  
4 population of 1.2 [~~one~~] million or more that has an elections  
5 administrator is subject to Section 31.035 in the same manner as a  
6 county elections administrator. A person employed on a full-time  
7 basis by the joint elections administrator's office for that county  
8 is subject to Section 31.035 in the same manner as the joint  
9 elections administrator.

10 SECTION 28. Section 85.066(b), Election Code, is amended to  
11 read as follows:

12 (b) For a countywide election in a county with a population  
13 of more than 3.3 [~~2.5~~] million and a primary election in a county  
14 with a population of more than 1 million in which temporary branch  
15 polling places are established under Section 85.062(d)(1), the  
16 commissioners court may limit voting at a temporary branch polling  
17 place to the voters of particular state representative districts.  
18 To the extent practicable, the state representative districts shall  
19 be grouped so that the temporary branch polling places in each group  
20 serve substantially equal numbers of voters. A maximum of four  
21 groups of state representative districts may be established under  
22 this subsection.

23 SECTION 29. Section 143.005(e), Election Code, is amended  
24 to read as follows:

25 (e) If the city charter of a home-rule city with a  
26 population of more than 1.18 million located primarily in a county  
27 with a population of 2.5 [~~2~~] million or more that holds nonpartisan

1 elections for its offices requires both a petition and a \$50 fee to  
2 be filed for a candidate's name to be placed on the ballot, those  
3 requirements supersede this section.

4 SECTION 30. Section 172.024(a), Election Code, is amended  
5 to read as follows:

6 (a) The filing fee for a candidate for nomination in the  
7 general primary election is as follows:

- 8 (1) United States senator . . . . . \$5,000
- 9 (2) office elected statewide, except United States  
10 senator . . . . . 3,750
- 11 (3) United States representative . . . . . 3,125
- 12 (4) state senator . . . . . 1,250
- 13 (5) state representative . . . . . 750
- 14 (6) member, State Board of Education . . . . . 300
- 15 (7) chief justice or justice, court of appeals, other  
16 than a justice specified by Subdivision (8) . . . . . 1,875
- 17 (8) chief justice or justice of a court of appeals that  
18 serves a court of appeals district in which a county with a  
19 population of more than 1.2 ~~one~~ million is wholly or partly  
20 situated . . . . . 2,500
- 21 (9) district judge or judge specified by Section  
22 52.092(d) for which this schedule does not otherwise prescribe a  
23 fee . . . . . 1,500
- 24 (10) district or criminal district judge of a court in  
25 a judicial district wholly contained in a county with a population  
26 of more than 1.5 million . . . . . 2,500
- 27 (11) judge, statutory county court, other than a judge



1 specified by Subdivision (12) . . . . . 1,500

2           (12) judge of a statutory county court in a county with

3 a population of more than 1.5 million . . . . . 2,500

4           (13) district attorney, criminal district attorney,

5 or county attorney performing the duties of a district attorney

6 . . . . . 1,250

7           (14) county commissioner, district clerk, county

8 clerk, sheriff, county tax assessor-collector, county treasurer,

9 or judge, constitutional county court:

10           (A) county with a population of 200,000 or more

11 . . . . . 1,250

12           (B) county with a population of under 200,000

13 . . . . . 750

14           (15) justice of the peace or constable:

15           (A) county with a population of 200,000 or more

16 . . . . . 1,000

17           (B) county with a population of under 200,000

18 . . . . . 375

19           (16) county surveyor . . . . . 75

20           (17) office of the county government for which this

21 schedule does not otherwise prescribe a fee . . . . . 750

22 SECTION 31. Section 65.004(a), Family Code, is amended to  
23 read as follows:

- 24           (a) The following are designated as truancy courts:
- 25           (1) in a county with a population of 2.1 [~~1.75~~] million
- 26 or more, the constitutional county court;
- 27           (2) justice courts; and

1 (3) municipal courts.

2 SECTION 32. Section 84.002(a), Family Code, is amended to  
3 read as follows:

4 (a) On the request of the prosecuting attorney in a county  
5 with a population of more than 2.5 [~~two~~] million or in a county in a  
6 judicial district that is composed of more than one county, the  
7 district court shall set the hearing on a date and time not later  
8 than 20 days after the date the application is filed or 20 days  
9 after the date a request is made to reschedule a hearing under  
10 Section 84.003.

11 SECTION 33. Section 105.009(m), Family Code, as added by  
12 Chapter 1171 (H.B. 3531), Acts of the 79th Legislature, Regular  
13 Session, 2005, is amended to read as follows:

14 (m) A course under this section in a suit filed in a county  
15 with a population of more than 2.5 [~~two~~] million that is adjacent to  
16 a county with a population of more than one million must be  
17 available in both English and Spanish.

18 SECTION 34. Section 26.045(d), Government Code, is amended  
19 to read as follows:

20 (d) A county court in a county with a population of 2.1  
21 [~~1.75~~] million or more has original jurisdiction over cases  
22 alleging a violation of Section 25.093, Education Code, or alleging  
23 truant conduct under Section 65.003(a), Family Code.

24 SECTION 35. Section 27.055(g), Government Code, is amended  
25 to read as follows:

26 (g) This subsection applies to a county with a population of  
27 at least 135,000 [~~120,000~~] but not more than 145,000 [~~130,000~~],

1 with territory less than 940 square miles that includes a state  
2 park, and with not more than two justice precincts provided that at  
3 least one of the precincts contains all or part of a municipality  
4 with a population of at least 195,000 [~~190,000~~] but not more than  
5 205,000 [~~200,000~~]. The county judge of a county to which this  
6 subsection applies may appoint a qualified person to serve as a  
7 temporary justice of the peace for the precinct within which a  
8 municipality or part of a municipality is located to hold court and  
9 perform the duties of the justice when necessary to dispose of  
10 accumulated business in the precinct.

11 SECTION 36. Section 51.501(c), Government Code, is amended  
12 to read as follows:

13 (c) The commissioners court of a county that has a  
14 population of 5,415 [~~5,800~~] to 5,515 [~~5,900~~] shall determine  
15 whether the county shall have a joint clerk but may not take action  
16 to prevent a district clerk, county clerk, or joint clerk from  
17 serving the full term of office to which the clerk was elected.

18 SECTION 37. Section 54.1171, Government Code, is amended to  
19 read as follows:

20 Sec. 54.1171. APPLICATION OF SUBCHAPTER. This subchapter  
21 applies to a constitutional county court in a county with a  
22 population of 2.1 [~~1.75~~] million or more.

23 SECTION 38. Section 54.1951, Government Code, is amended to  
24 read as follows:

25 Sec. 54.1951. APPLICATION OF SUBCHAPTER. This subchapter  
26 applies to a constitutional county court in a county that:

27 (1) has a population of more than 820,000 [~~585,000~~];

1 and

2 (2) is contiguous to a county with a population of at  
3 least four million.

4 SECTION 39. Section 62.011(b), Government Code, is amended  
5 to read as follows:

6 (b) A plan authorized by this section for the selection of  
7 names of prospective jurors must:

8 (1) be proposed in writing to the commissioners court  
9 by a majority of the district and criminal district judges of the  
10 county at a meeting of the judges called for that purpose;

11 (2) specify that the source of names of persons for  
12 jury service is the same as that provided by Section 62.001 and that  
13 the names of persons listed in a register of persons exempt from  
14 jury service may not be used in preparing the record of names from  
15 which a jury list is selected, as provided by Sections 62.108 and  
16 62.109;

17 (3) provide a fair, impartial, and objective method of  
18 selecting names of persons for jury service with the aid of  
19 electronic or mechanical equipment;

20 (4) designate the district clerk, or in a county with a  
21 population of at least 1.7 million and in which more than 70 [~~75~~]  
22 percent of the population resides in a single municipality, a  
23 bailiff appointed as provided under Section 62.019, as the officer  
24 in charge of the selection process and define the officer's duties;  
25 and

26 (5) provide that the method of selection either will  
27 use the same record of names for the selection of persons for jury

1 service until that record is exhausted or will use the same record  
2 of names for a period of time specified by the plan.

3 SECTION 40. Section 62.0145, Government Code, is amended to  
4 read as follows:

5 Sec. 62.0145. REMOVAL OF CERTAIN PERSONS FROM POOL OF  
6 PROSPECTIVE JURORS. Except as provided by Section 62.0146, if a  
7 written summons for jury service sent by a sheriff, constable, or  
8 bailiff is undeliverable, the county or district clerk may remove  
9 from the jury wheel the jury wheel card for the person summoned or  
10 the district clerk, or in a county with a population of at least 1.7  
11 million and in which more than 70 [~~75~~] percent of the population  
12 resides in a single municipality, a bailiff appointed as provided  
13 under Section 62.019, may remove the person's name from the record  
14 of names for selection of persons for jury service under Section  
15 62.011.

16 SECTION 41. Section 62.021, Government Code, is amended to  
17 read as follows:

18 Sec. 62.021. DISMISSAL OF JUROR REMOVED FROM PANEL. In a  
19 county with a population of 2.5 [~~two~~] million or more, a prospective  
20 juror removed from a jury panel for cause, by peremptory challenge  
21 or for any other reason, must be dismissed from jury  
22 service. After dismissal, the person may not be placed on another  
23 jury panel until the person's [~~his~~] name is returned to the jury  
24 wheel and drawn again for jury service.

25 SECTION 42. Sections 403.302(c-1) and (e-1), Government  
26 Code, are amended to read as follows:

27 (c-1) This subsection applies only to a school district

1 whose central administrative office is located in a county with a  
2 population of 10,000 [~~9,000~~] or less and a total area of more than  
3 6,000 square miles. If after conducting the study for a tax year  
4 the comptroller determines that the local value for a school  
5 district is not valid, the comptroller shall adjust the taxable  
6 value determined under Subsections (a) and (b) as follows:

7 (1) for each category of property sampled and tested  
8 by the comptroller in the school district, the comptroller shall  
9 use the weighted mean appraisal ratio determined by the study,  
10 unless the ratio is more than four percentage points lower than the  
11 weighted mean appraisal ratio determined by the comptroller for  
12 that category of property in the immediately preceding study, in  
13 which case the comptroller shall use the weighted mean appraisal  
14 ratio determined in the immediately preceding study minus four  
15 percentage points;

16 (2) the comptroller shall use the category weighted  
17 mean appraisal ratios as adjusted under Subdivision (1) to  
18 establish a value estimate for each category of property sampled  
19 and tested by the comptroller in the school district; and

20 (3) the value estimates established under Subdivision  
21 (2), together with the local tax roll value for any categories not  
22 sampled and tested by the comptroller, less total deductions  
23 determined by the comptroller, determine the taxable value for the  
24 school district.

25 (e-1) This subsection applies only to a reinvestment zone  
26 created by a municipality that has a population of 83,000 [~~70,000~~]  
27 or less and is located in a county in which all or part of a military

1 installation is located. Notwithstanding Subsection (e), if on or  
2 after January 1, 2017, the municipality adopts an ordinance  
3 designating a termination date for the zone that is later than the  
4 termination date designated in the ordinance creating the zone, the  
5 number of years for which the total dollar amount may be deducted  
6 under Subsection (d)(4) is limited to the duration of the zone as  
7 determined under Section 311.017, Tax Code.

8 SECTION 43. Section 476.0002, Government Code, is amended  
9 to read as follows:

10 Sec. 476.0002. ELIGIBILITY AS ENDORSING MUNICIPALITY. Only  
11 a municipality with a population of one million [~~850,000~~] or more is  
12 eligible as an endorsing municipality under this chapter.

13 SECTION 44. Section 477.0002, Government Code, is amended  
14 to read as follows:

15 Sec. 477.0002. ELIGIBILITY AS ENDORSING MUNICIPALITY. Only  
16 a municipality with a population of one million [~~850,000~~] or more is  
17 eligible as an endorsing municipality under this chapter.

18 SECTION 45. Section 533.00257(j), Government Code, is  
19 amended to read as follows:

20 (j) The [~~Notwithstanding Subsection (i), the~~] commission  
21 may not delay providing medical transportation program services  
22 through a managed transportation delivery model in:

23 (1) a county with a population of one million  
24 [~~750,000~~] or more:

25 (A) in which all or part of a municipality with a  
26 population of one million or more is located; and

27 (B) that is located adjacent to a county with a

1 population of 2.5 [~~two~~] million or more; or

2 (2) a county with a population of at least 60,000  
3 [~~55,000~~] but not more than 70,000 [~~65,000~~] that is located adjacent  
4 to a county with a population of at least 500,000 but not more than  
5 1.5 million.

6 SECTION 46. Section 791.037(b), Government Code, is amended  
7 to read as follows:

8 (b) This section applies only to a county with a population  
9 of more than 1.7 [~~1.5~~] million in which more than 70 [~~75~~] percent of  
10 the population resides in a single municipality.

11 SECTION 47. Section 803.0021, Government Code, is amended  
12 to read as follows:

13 Sec. 803.0021. APPLICATION OF CHAPTER. This chapter  
14 applies only to:

15 (1) a retirement system for general municipal  
16 employees in a municipality with a population of not less than  
17 950,000 [~~750,000~~] nor more than 1,050,000 [~~850,000~~];

18 (2) the Employees Retirement System of Texas, the  
19 Teacher Retirement System of Texas, the Judicial Retirement System  
20 of Texas Plan One, the Judicial Retirement System of Texas Plan Two,  
21 the Texas County and District Retirement System, and the Texas  
22 Municipal Retirement System; and

23 (3) a retirement system that makes an election under  
24 Section 803.101(f).

25 SECTION 48. Section 851.0011(a), Government Code, is  
26 amended to read as follows:

27 (a) This section applies only with respect to a



1 municipality:

2 (1) with a population of less than 200,000;

3 (2) that is located in a county with a population of  
4 not less than 2.5 [~~2~~] million and not more than 4 million;

5 (3) that has a regularly organized fire department for  
6 which a retirement system and fund have been established under  
7 Section 4, Texas Local Fire Fighters Retirement Act (Article 6243e,  
8 Vernon's Texas Civil Statutes); and

9 (4) that before January 1, 2017, has one or more  
10 departments participating in the retirement system.

11 SECTION 49. The heading to Section 1331.051, Government  
12 Code, is amended to read as follows:

13 Sec. 1331.051. LIMITATION ON BONDED DEBT: MUNICIPALITY  
14 WITH POPULATION OF 950,000 [~~750,000~~] OR MORE.

15 SECTION 50. Section 1331.051(a), Government Code, is  
16 amended to read as follows:

17 (a) This section applies only to a municipality with a  
18 population of 950,000 [~~750,000~~] or more.

19 SECTION 51. Section 1371.001(4), Government Code, is  
20 amended to read as follows:

21 (4) "Issuer" means:

22 (A) a home-rule municipality that:

23 (i) adopted its charter under Section 5,  
24 Article XI, Texas Constitution;

25 (ii) has a population of 50,000 or more; and

26 (iii) has outstanding long-term  
27 indebtedness that is rated by a nationally recognized rating agency

1 for municipal securities in one of the four highest rating  
2 categories for a long-term obligation;

3 (B) a conservation and reclamation district  
4 created and organized as a river authority under Section 52,  
5 Article III, or Section 59, Article XVI, Texas Constitution;

6 (C) a joint powers agency organized and operating  
7 under Chapter 163, Utilities Code;

8 (D) a metropolitan rapid transit authority,  
9 regional transportation authority, or coordinated county  
10 transportation authority created, organized, or operating under  
11 Chapter 451, 452, or 460, Transportation Code;

12 (E) a conservation and reclamation district  
13 organized or operating as a navigation district under Section 52,  
14 Article III, or Section 59, Article XVI, Texas Constitution;

15 (F) a district organized or operating under  
16 Section 59, Article XVI, Texas Constitution, that has all or part of  
17 two or more municipalities within its boundaries;

18 (G) a state agency, including a state institution  
19 of higher education;

20 (H) a hospital authority created or operating  
21 under Chapter 262 or 264, Health and Safety Code, in a county that:

22 (i) has a population of more than 3.3  
23 million; or

24 (ii) is included, in whole or in part, in a  
25 standard metropolitan statistical area of this state that includes  
26 a county with a population of more than 2.5 [~~2.2~~] million;

27 (I) a hospital district in a county that has a

1 population of more than 2.5 [~~two~~] million;

2 (J) a nonprofit corporation organized to  
3 exercise the powers of a higher education loan authority under  
4 Section 53B.47(e), Education Code;

5 (K) a county:

6 (i) that has a population of more than 3.3  
7 million [~~or more~~]; or

8 (ii) that, on the date of issuance of  
9 obligations under this chapter, has authorized, outstanding, or any  
10 combination of authorized and outstanding, indebtedness of at least  
11 \$100 million secured by and payable from the county's ad valorem  
12 taxes and the authorized long-term indebtedness of which is rated  
13 by a nationally recognized rating agency of securities issued by  
14 local governments in one of the four highest rating categories for a  
15 long-term obligation;

16 (L) an independent school district that has an  
17 average daily attendance of 50,000 or more as determined under  
18 Section 48.005, Education Code;

19 (M) a municipality or county operating under  
20 Chapter 334, Local Government Code;

21 (N) a district created under Chapter 335, Local  
22 Government Code;

23 (O) a junior college district that has a total  
24 headcount enrollment of 40,000 or more based on enrollment in the  
25 most recent regular semester; or

26 (P) an issuer, as defined by Section 1201.002,  
27 that has:

1 (i) a principal amount of at least \$100  
2 million in outstanding long-term indebtedness, in long-term  
3 indebtedness proposed to be issued, or in a combination of  
4 outstanding or proposed long-term indebtedness; and

5 (ii) some amount of long-term indebtedness  
6 outstanding or proposed to be issued that is rated in one of the  
7 four highest rating categories for long-term debt instruments by a  
8 nationally recognized rating agency for municipal securities,  
9 without regard to the effect of any credit agreement or other form  
10 of credit enhancement entered into in connection with the  
11 obligation.

12 SECTION 52. Section 1372.002(g), Government Code, is  
13 amended to read as follows:

14 (g) Subsection (f) applies only to an applicant created by a  
15 municipal housing authority established by a municipality that is:

16 (1) adjacent to an international boundary of this  
17 state; and

18 (2) [~~that is~~] located in a county that contains a  
19 municipality with a population of more than 500,000 [~~800,000~~].

20 SECTION 53. Section 1431.001(2), Government Code, is  
21 amended to read as follows:

22 (2) "Eligible countywide district" means a flood  
23 control district or a hospital district the boundaries of which are  
24 substantially coterminous with the boundaries of a county with a  
25 population of three million or more or a hospital district created  
26 in a county with a population of more than 1.2 million [~~800,000~~]  
27 that was not included in the boundaries of a hospital district

1 before September 1, 2003.

2 SECTION 54. The heading to Chapter 1476, Government Code,  
3 is amended to read as follows:

4 CHAPTER 1476. CERTIFICATES OF INDEBTEDNESS IN COUNTIES WITH  
5 POPULATION OF MORE THAN 2.5 [~~TWO~~] MILLION

6 SECTION 55. Section 1476.001(a), Government Code, is  
7 amended to read as follows:

8 (a) This chapter applies only to a county with a population  
9 of more than 2.5 [~~two~~] million.

10 SECTION 56. Section 1477.301, Government Code, is amended  
11 to read as follows:

12 Sec. 1477.301. APPLICABILITY OF SUBCHAPTER. This  
13 subchapter applies only to a county:

14 (1) with a population of more than 3.3 million; or

15 (2) with a population of more than 90,000 that borders  
16 the United Mexican States other than a county that contains three or  
17 more municipalities that each have a population of more than 23,000  
18 [~~17,500~~].

19 SECTION 57. Section 1502.070(a), Government Code, is  
20 amended to read as follows:

21 (a) Management and control of a utility system may be vested  
22 in:

23 (1) the municipality's governing body; or

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

26 (A) five members, one of whom must be the mayor of  
27 the municipality;

1 (B) seven members, one of whom must be the mayor  
2 of the municipality, if the municipality is located in a county  
3 that:

4 (i) contains a municipality with a  
5 population of at least 500,000 [~~300,000~~]; and

6 (ii) [~~that~~] is located on an international  
7 border; or

8 (C) seven members, one of whom must be the mayor  
9 of the municipality, if the municipality is located in a county:

10 (i) with a population of at least 375,000;

11 (ii) that is located on an international  
12 border; and

13 (iii) that borders the Gulf of Mexico.

14 SECTION 58. The heading to Subchapter E, Chapter 1503,  
15 Government Code, is amended to read as follows:

16 SUBCHAPTER E. ADDITIONAL POWERS OF MUNICIPALITIES WITH POPULATION  
17 OF 1.9 [~~1.2~~] MILLION OR MORE

18 SECTION 59. The heading to Subchapter F, Chapter 1504,  
19 Government Code, is amended to read as follows:

20 SUBCHAPTER F. REVENUE BONDS FOR CULTURAL FACILITIES IN HOME-RULE  
21 MUNICIPALITIES WITH POPULATION OF 1.9 [~~1.2~~] MILLION OR MORE

22 SECTION 60. Section 1506.101, Government Code, is amended  
23 to read as follows:

24 Sec. 1506.101. APPLICABILITY OF SUBCHAPTER. This  
25 subchapter applies only to a municipality that:

26 (1) is located on the Gulf of Mexico or on a channel,  
27 canal, bay, or inlet connected to the Gulf of Mexico; and

1 (2) has a population of:

2 (A) more than 53,000 [~~47,500~~] and less than  
3 84,000 [~~73,000~~]; or

4 (B) more than 115,000 [~~117,000~~] and less than  
5 160,000.

6 SECTION 61. The heading to Subchapter D, Chapter 1506,  
7 Government Code, is amended to read as follows:

8 SUBCHAPTER D. REVENUE BONDS FOR PARKING AND TRANSPORTATION  
9 FACILITIES IN MUNICIPALITIES WITH POPULATION OF MORE THAN 1.1  
10 MILLION [~~650,000~~]

11 SECTION 62. Section 1509.002(b), Government Code, is  
12 amended to read as follows:

13 (b) This section applies only to a municipality that:

14 (1) has a population of more than 17,000 but less than  
15 18,000; and

16 (2) is located in two counties [~~with populations of~~  
17 ~~550,000 or more but less than 4.2 million~~].

18 SECTION 63. The heading to Subchapter C, Chapter 1509,  
19 Government Code, is amended to read as follows:

20 SUBCHAPTER C. BONDS FOR FARMERS' MARKETS IN MUNICIPALITIES WITH  
21 POPULATION OF MORE THAN 1.1 MILLION [~~650,000~~]

22 SECTION 64. Section 2051.0441(a), Government Code, is  
23 amended to read as follows:

24 (a) This section applies only to a notice published by a  
25 governmental entity or representative in a county:

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

1           (2) that does not have a newspaper described by  
2 Section 2051.044 published in the county.

3           SECTION 65. Section 2306.6710(b), Government Code, is  
4 amended to read as follows:

5           (b) If an application satisfies the threshold criteria, the  
6 department shall score and rank the application using a point  
7 system that:

8           (1) prioritizes in descending order criteria  
9 regarding:

10           (A) financial feasibility of the development  
11 based on the supporting financial data required in the application  
12 that will include a project underwriting pro forma from the  
13 permanent or construction lender;

14           (B) quantifiable community participation with  
15 respect to the development, evaluated on the basis of a resolution  
16 concerning the development that is voted on and adopted by the  
17 following, as applicable:

18           (i) the governing body of a municipality in  
19 which the proposed development site is to be located;

20           (ii) subject to Subparagraph (iii), the  
21 commissioners court of a county in which the proposed development  
22 site is to be located, if the proposed site is to be located in an  
23 area of a county that is not part of a municipality; or

24           (iii) the commissioners court of a county  
25 in which the proposed development site is to be located and the  
26 governing body of the applicable municipality, if the proposed site  
27 is to be located in the extraterritorial jurisdiction of a



1 municipality;

2 (C) the income levels of tenants of the  
3 development;

4 (D) the size and quality of the units;

5 (E) the rent levels of the units;

6 (F) the cost of the development by square foot;

7 (G) the services to be provided to tenants of the  
8 development;

9 (H) whether, at the time the complete application  
10 is submitted or at any time within the two-year period preceding the  
11 date of submission, the proposed development site is located in an  
12 area declared to be a disaster under Section [418.014](#);

13 (I) quantifiable community participation with  
14 respect to the development, evaluated on the basis of written  
15 statements from any neighborhood organizations on record with the  
16 state or county in which the development is to be located and whose  
17 boundaries contain the proposed development site; and

18 (J) the level of community support for the  
19 application, evaluated on the basis of a written statement from the  
20 state representative who represents the district containing the  
21 proposed development site;

22 (2) uses criteria imposing penalties on applicants or  
23 affiliates who have requested extensions of department deadlines  
24 relating to developments supported by housing tax credit  
25 allocations made in the application round preceding the current  
26 round or a developer or principal of the applicant that has been  
27 removed by the lender, equity provider, or limited partners for its

1 failure to perform its obligations under the loan documents or  
2 limited partnership agreement;

3 (3) encourages applicants to provide free notary  
4 public service to the residents of the developments for which the  
5 allocation of housing tax credits is requested; and

6 (4) for an application concerning a development that  
7 is or will be located in a county with a population of 1.2 [~~±~~]  
8 million or more but less than 4 million and that is or will be  
9 located not more than two miles from a veterans hospital, veterans  
10 affairs medical center, or veterans affairs health care center,  
11 encourages applicants to provide a preference for leasing units in  
12 the development to low income veterans.

13 SECTION 66. Section 34.020(b), Health and Safety Code, is  
14 amended to read as follows:

15 (b) The commission, in consultation with the task force,  
16 shall develop a program to deliver prenatal and postpartum care  
17 through telehealth services or telemedicine medical services to  
18 pregnant women with a low risk of experiencing pregnancy-related  
19 complications, as determined by a physician. The commission shall  
20 implement the program in:

21 (1) at least two counties with populations of more  
22 than 2.5 [~~two~~] million;

23 (2) at least one county with a population of more than  
24 100,000 and less than 500,000; and

25 (3) at least one rural county with high rates of  
26 maternal mortality and morbidity as determined by the commission in  
27 consultation with the task force.

1 SECTION 67. Section 61.056(c), Health and Safety Code, is  
2 amended to read as follows:

3 (c) A hospital district created in a county with a  
4 population of more than 1.2 million [~~800,000~~] that was not included  
5 in the boundaries of a hospital district before September 1, 2003,  
6 may affiliate with any public or private entity to provide regional  
7 administration and delivery of health care services. The regional  
8 affiliation, in accordance with the affiliation agreement, shall  
9 use money contributed by an affiliated governmental entity to  
10 provide health care services to an eligible resident of that  
11 governmental entity.

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

15 (d) A hospital district created in a county with a  
16 population of more than 1.2 million [~~800,000~~] that was not included  
17 in the boundaries of a hospital district before September 1, 2003,  
18 may provide or arrange to provide health care services for eligible  
19 residents through the purchase of health coverage or other health  
20 benefits, including benefits described by Chapter 75. For  
21 purposes of this subsection, the board of managers of the district  
22 has the powers and duties provided to the commissioners court of a  
23 county under Chapter 75.

24 SECTION 69. Section 141.0025(a), Health and Safety Code, is  
25 amended to read as follows:

26 (a) The department may grant a waiver from the requirements  
27 of this chapter to a program that:

1 (1) is sponsored by a religious organization as  
2 defined by Section 464.051;

3 (2) has been in operation for at least 30 consecutive  
4 years;

5 (3) operates one camp for not more than seven days in  
6 any year;

7 (4) has not more than 80 campers;

8 (5) is conducted by adult participants who are all  
9 volunteers;

10 (6) operates in a county with a population of at least  
11 4,000 [~~4,400~~] but not more than 4,350 [~~4,750~~]; and

12 (7) ensures that background checks are conducted on  
13 and the training required under Section 141.0095 is completed by  
14 each adult participating in the program.

15 SECTION 70. Section 262.034(e), Health and Safety Code, is  
16 amended to read as follows:

17 (e) This section applies only to an authority that owns or  
18 operates a hospital licensed under Chapter 241 and that is located  
19 in:

20 (1) a county with a population of 225,000 or less;

21 (2) those portions of extended municipalities that the  
22 federal census bureau has determined to be rural;

23 (3) an area that is not delineated as an urbanized area  
24 by the federal census bureau; or

25 (4) a municipality with a population of less than  
26 12,000 and a county with a population of 3.3 [~~2.5~~] million or more  
27 at the time the authority begins operating a facility or providing a

1 service described by Subsection (a).

2 SECTION 71. Section 263.025, Health and Safety Code, is  
3 amended to read as follows:

4 Sec. 263.025. HOSPITAL OPERATING FUNDS USED FOR  
5 IMPROVEMENTS IN CERTAIN COUNTIES [~~OF 24,500 TO 25,500~~]. The  
6 commissioners court of a county with a population of 24,000 or more  
7 but less than 24,500 or a population of 24,700 or more but less than  
8 27,000 [~~to 25,500~~] may use excess money in the county hospital  
9 operating fund for making permanent improvements to the county  
10 hospital and for the payment of county bonds issued for the  
11 construction and improvement of a county hospital facility.

12 SECTION 72. Section 281.004(a-1), Health and Safety Code,  
13 is amended to read as follows:

14 (a-1) The ballot for an election under this chapter held in  
15 a county with a population of more than 1.2 million [~~800,000~~] that  
16 is not included in the boundaries of a hospital district before  
17 September 1, 2003, shall be printed to provide for voting for or  
18 against the proposition: "The creation of a hospital district and  
19 the levy of a tax not to exceed 25 cents on each \$100 of the taxable  
20 value of property taxable by the district."

21 SECTION 73. Sections 281.021(b) and (d), Health and Safety  
22 Code, are amended to read as follows:

23 (b) The commissioners court of a county with a population of  
24 more than 2.1 [~~1.8~~] million but less than 2.5 [~~1.9~~] million in which  
25 a district is created under this chapter shall appoint a board  
26 composed of not less than five or more than 15 members.

27 (d) If a district is created under this chapter in a county

1 with a population of more than 1.2 million [~~800,000~~] that was not  
2 included in the boundaries of a hospital district before September  
3 1, 2003, the district shall be governed by a nine-member board of  
4 hospital managers, appointed as follows:

5 (1) the commissioners court of the county shall  
6 appoint four members;

7 (2) the governing body of the municipality with the  
8 largest population in the county shall appoint four members; and

9 (3) the commissioners court and the governing body of  
10 the municipality described by Subdivision (2) shall jointly appoint  
11 one member.

12 SECTION 74. Section 281.0281(a), Health and Safety Code, is  
13 amended to read as follows:

14 (a) This section applies only to a district created in a  
15 county with a population of more than 1.2 million [~~800,000~~] that was  
16 not included in the boundaries of a hospital district before  
17 September 1, 2003.

18 SECTION 75. Section 281.02815(a), Health and Safety Code,  
19 is amended to read as follows:

20 (a) This section applies only to a district created in a  
21 county with a population of more than 1.2 million [~~800,000~~] that was  
22 not included in the boundaries of a hospital district before  
23 September 1, 2003.

24 SECTION 76. Section 281.0475(a), Health and Safety Code, is  
25 amended to read as follows:

26 (a) This section applies only to a district created in a  
27 county with a population of more than 1.2 million [~~800,000~~] that was

1 not included in the boundaries of a hospital district before  
2 September 1, 2003.

3 SECTION 77. Section 281.0511(a), Health and Safety Code, is  
4 amended to read as follows:

5 (a) This section applies only to a district created in a  
6 county with a population of more than 1.2 million [~~800,000~~] that was  
7 not included in the boundaries of a hospital district before  
8 September 1, 2003.

9 SECTION 78. Section 281.056(b-1), Health and Safety Code,  
10 is amended to read as follows:

11 (b-1) The county attorney, district attorney, or criminal  
12 district attorney, as appropriate, with the duty to represent the  
13 county in civil matters shall, in all legal matters, represent a  
14 district located in:

15 (1) a county [~~with a population of 800,000 or more~~] that  
16 borders the United Mexican States and in which a municipality with a  
17 population of 500,000 or more is located;

18 (2) a county with a population of 3.4 million or more;  
19 or

20 (3) a county with a population of more than 1.2 million  
21 [~~800,000~~] that was not included in the boundaries of a hospital  
22 district before September 1, 2003.

23 SECTION 79. Section 281.122(a), Health and Safety Code, is  
24 amended to read as follows:

25 (a) This section applies only to a district created in a  
26 county with a population of more than 1.2 million [~~800,000~~] that was  
27 not included in the boundaries of a hospital district before

1 September 1, 2003.

2 SECTION 80. Section 281.124(a), Health and Safety Code, is  
3 amended to read as follows:

4 (a) This section applies only to a district created in a  
5 county with a population of more than 1.2 million [~~800,000~~] that was  
6 not included in the boundaries of a hospital district before  
7 September 1, 2003.

8 SECTION 81. Section 285.002, Health and Safety Code, is  
9 amended to read as follows:

10 Sec. 285.002. APPLICABILITY OF SUBCHAPTER. This  
11 subchapter applies only to a county having:

- 12 (1) a population of:  
13 (A) at least 1.2 million [~~800,000~~]; or  
14 (B) at least 830,000 and not more than 870,000;

15 and

- 16 (2) a countywide hospital district that:  
17 (A) has taxes imposed and collected by the  
18 commissioners court of the county; and  
19 (B) has teaching hospital facilities affiliated  
20 with a state-owned or private medical school.

21 SECTION 82. The heading to Chapter 290, Health and Safety  
22 Code, is amended to read as follows:

23 CHAPTER 290. COUNTY HEALTH CARE FUNDING DISTRICTS IN CERTAIN  
24 COUNTIES WITH POPULATION OF 2.1 [~~1.8~~] MILLION OR LESS

25 SECTION 83. Section 290.002, Health and Safety Code, is  
26 amended to read as follows:

27 Sec. 290.002. CREATION OF DISTRICT. A district is created



1 in each county that has a population of 2.1 [~~1.8~~] million or less  
2 and in which a municipality with a population of 1.1 million or more  
3 is predominantly located.

4 SECTION 84. Section 291.002, Health and Safety Code, is  
5 amended to read as follows:

6 Sec. 291.002. APPLICABILITY. This chapter applies only to  
7 a county that:

8 (1) is not served by a hospital district or a public  
9 hospital;

10 (2) is located in the Texas-Louisiana border region,  
11 as that region is defined by Section 2056.002, Government Code; and

12 (3) has a population of more than 51,000 [~~50,000~~] but  
13 less than 65,000.

14 SECTION 85. Section 291A.002, Health and Safety Code, is  
15 amended to read as follows:

16 Sec. 291A.002. APPLICABILITY. This chapter applies only  
17 to:

18 (1) a county that:

19 (A) is not served by a hospital district or a  
20 public hospital;

21 (B) has a population of more than 75,000; and

22 (C) borders or includes a portion of the Sam  
23 Rayburn Reservoir; and

24 (2) a county that has a population of more than 200,000  
25 and less than 233,500 [~~220,000~~].

26 SECTION 86. Section 292.002, Health and Safety Code, is  
27 amended to read as follows:

1           Sec. 292.002. APPLICABILITY. This chapter applies only to  
2 a county that is not served by a hospital district and:

3           (1) is located in the Texas-Louisiana border region,  
4 as that region is defined by Section 2056.002, Government Code, and  
5 has a population of more than 90,000 but less than 200,000; or

6           (2) has a population of less than 51,000 and is  
7 adjacent to a county with a population of more than 200,000 but less  
8 than 233,500 [~~220,000~~].

9           SECTION 87. Section 292C.002, Health and Safety Code, is  
10 amended to read as follows:

11           Sec. 292C.002. APPLICABILITY. This chapter applies only  
12 to a county that:

13           (1) contains a hospital district that is not  
14 countywide;

15           (2) has a population of more than 125,000 but less than  
16 135,000; and

17           (3) borders Oklahoma.

18           SECTION 88. Section 293C.002, Health and Safety Code, is  
19 amended to read as follows:

20           Sec. 293C.002. APPLICABILITY. This chapter applies only  
21 to a county that:

22           (1) is not served by a hospital district or a public  
23 hospital;

24           (2) has a population of more than 140,000 [~~125,000~~]  
25 and less than 155,000 [~~140,000~~]; and

26           (3) is not adjacent to a county with a population of  
27 1.2 [~~one~~] million or more.

1 SECTION 89. Section 294.002, Health and Safety Code, is  
2 amended to read as follows:

3 Sec. 294.002. APPLICABILITY. This chapter applies only to  
4 a county that:

5 (1) is not served by a hospital district or a public  
6 hospital;

7 (2) contains a private institution of higher education  
8 with a student enrollment of more than 12,000; and

9 (3) has a population of less than 265,000 [~~250,000~~].

10 SECTION 90. Section 295.002, Health and Safety Code, is  
11 amended to read as follows:

12 Sec. 295.002. APPLICABILITY. This chapter applies only to  
13 a municipality that:

14 (1) is not served by a hospital district or a public  
15 hospital;

16 (2) is located on the Gulf of Mexico or on a channel,  
17 canal, bay, or inlet connected to the Gulf of Mexico; and

18 (3) has a population of more than 115,000 [~~117,000~~]  
19 and less than 145,000.

20 SECTION 91. Section 296.002, Health and Safety Code, is  
21 amended to read as follows:

22 Sec. 296.002. APPLICABILITY. This chapter applies only to  
23 a county that:

24 (1) is not served by a hospital district or a public  
25 hospital; and

26 (2) has a population of less than 235,000 [~~200,000~~]  
27 and contains two municipalities both with populations of 83,000

1 ~~[75,000]~~ or more.

2 SECTION 92. Section [296A.002](#), Health and Safety Code, is  
3 amended to read as follows:

4 Sec. 296A.002. APPLICABILITY. This chapter applies only  
5 to a county that:

6 (1) is not served by a hospital district or a public  
7 hospital; and

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

10 SECTION 93. Section [298E.002](#), Health and Safety Code, is  
11 amended to read as follows:

12 Sec. 298E.002. APPLICABILITY. This chapter applies only  
13 to a hospital district created in a county with a population of more  
14 than 1.2 million ~~[800,000]~~ that was not included in the boundaries  
15 of a hospital district before September 1, 2003.

16 SECTION 94. Section [341.0358\(g\)](#), Health and Safety Code, is  
17 amended to read as follows:

18 (g) This section also applies to:

19 (1) a municipality with a population of more than  
20 42,500 ~~[36,000]~~ and less than 48,000 ~~[41,000]~~ located in two  
21 counties, one of which is a county with a population of more than  
22 2.1 ~~[1.8]~~ million;

23 (2) a municipality, including any industrial district  
24 within the municipality or its extraterritorial jurisdiction, with  
25 a population of more than 15,000 ~~[7,000]~~ and less than 45,700  
26 ~~[30,000]~~ located in a county with a population of more than 235,000  
27 ~~[155,000]~~ and less than 255,000 ~~[180,000]~~; and

1           (3) a municipality, including any industrial district  
2 within the municipality or its extraterritorial jurisdiction, with  
3 a population of more than 32,000 [~~11,000~~] and less than 35,000  
4 [~~18,000~~] located in two counties [~~a county with a population of more~~  
5 ~~than 125,000 and less than 230,000~~].

6           SECTION 95. Section 341.03585(b), Health and Safety Code,  
7 is amended to read as follows:

8           (b) This section applies only to:

9           (1) a municipality, including any industrial district  
10 within the municipality or its extraterritorial jurisdiction, with  
11 a population of more than 15,000 [~~7,000~~] and less than 45,700  
12 [~~30,000~~] located in a county with a population of more than 235,000  
13 [~~155,000~~] and less than 255,000 [~~180,000~~]; and

14           (2) a municipality, including any industrial district  
15 within the municipality or its extraterritorial jurisdiction, with  
16 a population of more than 32,000 [~~11,000~~] and less than 35,000  
17 [~~18,000~~] located in two counties [~~a county with a population of more~~  
18 ~~than 125,000 and less than 230,000~~].

19           SECTION 96. Section 343.011(c), Health and Safety Code, is  
20 amended to read as follows:

21           (c) A public nuisance is:

22           (1) keeping, storing, or accumulating refuse on  
23 premises in a neighborhood unless the refuse is entirely contained  
24 in a closed receptacle;

25           (2) keeping, storing, or accumulating rubbish,  
26 including newspapers, abandoned vehicles, refrigerators, stoves,  
27 furniture, tires, and cans, on premises in a neighborhood or within

1 300 feet of a public street for 10 days or more, unless the rubbish  
2 or object is completely enclosed in a building or is not visible  
3 from a public street;

4 (3) maintaining premises in a manner that creates an  
5 unsanitary condition likely to attract or harbor mosquitoes,  
6 rodents, vermin, or other disease-carrying pests;

7 (4) allowing weeds to grow on premises in a  
8 neighborhood if the weeds are located within 300 feet of another  
9 residence or commercial establishment;

10 (5) maintaining a building in a manner that is  
11 structurally unsafe or constitutes a hazard to safety, health, or  
12 public welfare because of inadequate maintenance, unsanitary  
13 conditions, dilapidation, obsolescence, disaster, damage, or  
14 abandonment or because it constitutes a fire hazard;

15 (6) maintaining on abandoned and unoccupied property  
16 in a neighborhood a swimming pool that is not protected with:

17 (A) a fence that is at least four feet high and  
18 that has a latched and locked gate; and

19 (B) a cover over the entire swimming pool that  
20 cannot be removed by a child;

21 (7) maintaining on any property in a neighborhood in a  
22 county with a population of more than 1.3 [~~1.1~~] million a swimming  
23 pool that is not protected with:

24 (A) a fence that is at least four feet high and  
25 that has a latched gate that cannot be opened by a child; or

26 (B) a cover over the entire swimming pool that  
27 cannot be removed by a child;

1           (8) maintaining a flea market in a manner that  
2 constitutes a fire hazard;

3           (9) discarding refuse or creating a hazardous visual  
4 obstruction on:

5                   (A) county-owned land; or

6                   (B) land or easements owned or held by a special  
7 district that has the commissioners court of the county as its  
8 governing body;

9           (10) discarding refuse on the smaller of:

10                   (A) the area that spans 20 feet on each side of a  
11 utility line; or

12                   (B) the actual span of the utility easement;

13           (11) filling or blocking a drainage easement, failing  
14 to maintain a drainage easement, maintaining a drainage easement in  
15 a manner that allows the easement to be clogged with debris,  
16 sediment, or vegetation, or violating an agreement with the county  
17 to improve or maintain a drainage easement;

18           (12) discarding refuse on property that is not  
19 authorized for that activity; or

20           (13) surface discharge from an on-site sewage disposal  
21 system as defined by Section [366.002](#).

22           SECTION 97. Section [364.011\(a-2\)](#), Health and Safety Code,  
23 is amended to read as follows:

24           (a-2) Notwithstanding Subsection (a), a commissioners court  
25 may, through a competitive bidding process, contract for the  
26 provision of solid waste collection, handling, storage, and  
27 disposal in an area of the county located within the

1 extraterritorial jurisdiction of a municipality if:

2 (1) the municipality does not provide solid waste  
3 disposal services in that area; and

4 (2) the county has a population of more than 1.5  
5 million and at least 70 [~~75~~] percent of the population resides in a  
6 single municipality.

7 SECTION 98. Section 364.0341(a), Health and Safety Code, is  
8 amended to read as follows:

9 (a) This section applies only to a municipality wholly or  
10 partly located in a county with a population of more than 57,000  
11 [~~54,000~~] and less than 57,900 [~~54,500~~].

12 SECTION 99. Section 382.218(a), Health and Safety Code, is  
13 amended to read as follows:

14 (a) This section applies only to a county [~~with a population~~  
15 ~~of 800,000 or more~~] that borders the United Mexican States and in  
16 which a municipality with a population of 500,000 or more is  
17 located.

18 SECTION 100. Sections 711.008(b) and (d), Health and Safety  
19 Code, are amended to read as follows:

20 (b) Subsection (a) does not apply to:

21 (1) a cemetery heretofore established and operating;

22 (2) the establishment and use of a columbarium by an  
23 organized religious society or sect that is exempt from income  
24 taxation under Section 501(a), Internal Revenue Code of 1986, by  
25 being listed under Section 501(c)(3) of that code, as part of or  
26 attached to the principal church building owned by the society or  
27 sect;



1           (3) the establishment and use of a columbarium by an  
2 organized religious society or sect that is exempt from income  
3 taxation under Section 501(a), Internal Revenue Code of 1986, by  
4 being listed under Section 501(c)(3) of that code, on land that:

5                   (A) is owned by the society or sect; and

6                   (B) is part of the campus on which an existing  
7 principal church building is located;

8           (4) the establishment and use of a columbarium on the  
9 campus of a private or independent institution of higher education,  
10 as defined by Section 61.003, Education Code, that is wholly or  
11 substantially controlled, managed, owned, or supported by or  
12 otherwise affiliated with an organized religious society or sect  
13 that is exempt from income taxation under Section 501(a), Internal  
14 Revenue Code of 1986, by being listed under Section 501(c)(3) of  
15 that code, if a place of worship is located on the campus;

16           (5) the establishment and use of a mausoleum that is:

17                   (A) constructed beneath the principal church  
18 building owned by an organized religious society or sect that:

19                           (i) is exempt from income taxation under  
20 Section 501(a), Internal Revenue Code of 1986, by being listed  
21 under Section 501(c)(3) of that code; and

22                           (ii) has recognized religious traditions  
23 and practices of interring the remains of ordained clergy in or  
24 below the principal church building; and

25                   (B) used only for the interment of the remains of  
26 ordained clergy of that organized religious society or sect;

27           (6) the establishment and operation, if authorized in

1 accordance with Subsection (h), of a perpetual care cemetery by an  
2 organized religious society or sect that:

3 (A) is exempt from income taxation under Section  
4 501(a), Internal Revenue Code of 1986, by being listed under  
5 Section 501(c)(3) of that code;

6 (B) has been in existence for at least five  
7 years;

8 (C) has at least \$500,000 in assets; and

9 (D) establishes and operates the cemetery on land  
10 that:

11 (i) is owned by the society or sect;

12 (ii) together with any other land owned by  
13 the society or sect and adjacent to the land on which the cemetery  
14 is located, is not less than 10 acres; and

15 (iii) is in a municipality with a  
16 population of at least one million that is located predominantly in  
17 a county that has a total area of less than 1,000 square miles;

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

22 (A) owned by the organization; and

23 (B) located in a county:

24 (i) with a population of more than 165,000  
25 [~~125,000~~]; and

26 (ii) that is adjacent to a county that has a  
27 population of more than 1.5 million and in which more than 70 [~~75~~]

1 percent of the population lives in a single municipality; or

2 (8) the establishment and use of a private family  
3 cemetery located at the site of a presidential library and museum.

4 (d) Subsection (a) does not apply to a cemetery established  
5 and operating before September 1, 1995, in a county with a  
6 population of more than 315,000 [~~285,000~~] and less than 351,000  
7 [~~300,000~~] that borders the Gulf of Mexico.

8 SECTION 101. Section 713.0271, Health and Safety Code, is  
9 amended to read as follows:

10 Sec. 713.0271. CEMETERY OWNED BY CERTAIN COUNTIES. A  
11 county with a population of more than 800,000 [~~550,000~~] that  
12 borders a county with a population of more than 3.3 million may own,  
13 operate, and maintain a cemetery.

14 SECTION 102. Section 766.052, Health and Safety Code, is  
15 amended to read as follows:

16 Sec. 766.052. APPLICABILITY OF SUBCHAPTER. This  
17 subchapter applies only to a residential high-rise building:

18 (1) that is located in a county with a population of  
19 more than 1.5 million in which more than 70 [~~75~~] percent of the  
20 population resides in a single municipality;

21 (2) in which at least 50 percent of the residents are  
22 elderly individuals, individuals with a disability, or individuals  
23 with a mobility impairment; and

24 (3) that is not designated as a historically or  
25 archaeologically significant site by the Texas Historical  
26 Commission or the governing body of the county or municipality in  
27 which the building is located.

1 SECTION 103. Section 771.0751(a), Health and Safety Code,  
2 as added by Chapter 258 (H.B. 1771), Acts of the 78th Legislature,  
3 Regular Session, 2003, is amended to read as follows:

4 (a) This section applies only to the use of fees and  
5 surcharges collected under this subchapter in a county subject to  
6 this subchapter with a population of at least 1.2 [~~one~~] million.

7 SECTION 104. The heading to Subchapter B, Chapter 772,  
8 Health and Safety Code, is amended to read as follows:

9 SUBCHAPTER B. EMERGENCY COMMUNICATION DISTRICTS: COUNTIES WITH  
10 POPULATION OVER 3.3 [~~TWO~~] MILLION

11 SECTION 105. The heading to Subchapter E, Chapter 772,  
12 Health and Safety Code, is amended to read as follows:

13 SUBCHAPTER E. EMERGENCY COMMUNICATION SERVICE: COUNTIES WITH  
14 POPULATION OVER 2.5 [~~TWO~~] MILLION

15 SECTION 106. Section 772.402, Health and Safety Code, is  
16 amended to read as follows:

17 Sec. 772.402. APPLICATION OF SUBCHAPTER. This subchapter  
18 applies only to a county having a population of more than 2.5 [~~two~~]  
19 million in which a communication district has not been created  
20 under Subchapter B.

21 SECTION 107. Section 775.014(h), Health and Safety Code, is  
22 amended to read as follows:

23 (h) The governing body of a municipality with a population  
24 of more than one million may negotiate with the commissioners court  
25 of a county with a population of less than 2.1 [~~1.8~~] million that is  
26 the county in which the majority of the territory inside the  
27 municipality's corporate boundaries is located conditions under

1 which the municipality will grant its consent to the inclusion of  
2 its extraterritorial jurisdiction in the district. The negotiated  
3 conditions may:

- 4 (1) limit the district's ability to incur debt;
- 5 (2) require the district to ensure that its equipment  
6 is compatible with the municipality's equipment; and
- 7 (3) require the district to enter into mutual aid  
8 agreements.

9 SECTION 108. Section 775.0315(a), Health and Safety Code,  
10 is amended to read as follows:

11 (a) This section applies only to a district located wholly  
12 in a county with a population of 2.1 [~~1.8~~] million or more in which  
13 two or more cities with a population of 350,000 or more are located.

14 SECTION 109. Section 775.045(b), Health and Safety Code, is  
15 amended to read as follows:

16 (b) Subsection (a) does not apply to a district:

17 (1) that before February 1, 2013, has adopted a fire  
18 code, fire code amendments, or other requirements in conflict with  
19 Subsection (a); and

20 (2) whose territory is located:

21 (A) in or adjacent to a general law municipality  
22 with a population of less than 4,000 that is served by a water  
23 control and improvement district governed by Chapter 51, Water  
24 Code; and

25 (B) in a county that has a population of more than  
26 1.2 [~~one~~] million and is adjacent to a county with a population of  
27 more than 600,000 [~~420,000~~].

1 SECTION 110. Section 775.221(a), Health and Safety Code, is  
2 amended to read as follows:

3 (a) This subchapter applies only to a district located  
4 wholly in:

- 5 (1) a county with a population of 20,000 or less; or  
6 (2) a county with a population of more than 30,000 but  
7 less than 41,000 that is adjacent to a county with a population of  
8 more than 200,000 but less than 233,500 [~~220,000~~].

9 SECTION 111. Section 775.301, Health and Safety Code, is  
10 amended to read as follows:

11 Sec. 775.301. DEFINITION. In this subchapter,  
12 "commissioners court" means the commissioners court of a county  
13 that:

- 14 (1) borders the United Mexican States;  
15 (2) contains a municipality with [~~has~~] a population  
16 of more than 500,000; [~~800,000~~] and  
17 (3) appoints a board of emergency services  
18 commissioners under this chapter.

19 SECTION 112. Section 775.302(a), Health and Safety Code, is  
20 amended to read as follows:

21 (a) This subchapter applies only to a district that is  
22 located wholly in a county:

- 23 (1) that borders the United Mexican States;  
24 (2) [~~has~~] contains a municipality with [~~has~~] a  
25 population of more than 500,000; [~~800,000~~] and  
26 (3) for which the commissioners court appoints a board  
27 of emergency services commissioners under Section 775.034.

1 SECTION 113. Section 822.0012(a), Health and Safety Code,  
2 is amended to read as follows:

3 (a) This section applies only to an incorporated  
4 municipality that has a population of more than 1,000 and that is  
5 the county seat of a county with a population of 1,380 or more but  
6 less than 1,600.

7 SECTION 114. Section 822.0411(a), Health and Safety Code,  
8 is amended to read as follows:

9 (a) This section applies only to an incorporated  
10 municipality that has a population of more than 1,000 and that is  
11 the county seat of a county with a population of 1,380 or more but  
12 less than 1,600.

13 SECTION 115. Section 42.041(g), Human Resources Code, is  
14 amended to read as follows:

15 (g) A child-care facility that is exempt under Subsection  
16 (b)(3) from the licensing requirement of Subsection (a) may provide  
17 care for each child at the child-care facility for not more than 15  
18 hours a week if the child-care facility:

19 (1) provides the child care so that a person may attend  
20 an educational class provided by a nonprofit entity; and

21 (2) is located in a county:

22 (A) in which a municipality with a population of  
23 500,000 [~~800,000~~] or more is located; and

24 (B) that is adjacent to an international border.

25 SECTION 116. Section 101A.202(a), Human Resources Code, is  
26 amended to read as follows:

27 (a) This section applies only to counties having a

1 population of not less than 20,600 [~~22,140~~] and not more than 20,800  
2 [~~22,340~~] and to cities and towns within those counties.

3 SECTION 117. Section [1575.163](#), Insurance Code, is amended  
4 to read as follows:

5 Sec. 1575.163. LIMITATIONS. The Teacher Retirement System  
6 of Texas, as trustee, may not contract for or provide a health  
7 benefit plan that excludes from participation in the network a  
8 general hospital that:

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

11 (A) has a population of at least 100,000 and not  
12 more than 233,500 [~~210,000~~]; and

13 (B) is located in the Texas-Louisiana border  
14 region, as that term is defined in Section [2056.002\(e\)](#), Government  
15 Code; and

16 (2) agrees to provide medical and health care services  
17 under the plan subject to the same terms and conditions as other  
18 hospital providers under the plan.

19 SECTION 118. Section [1579.108](#), Insurance Code, is amended  
20 to read as follows:

21 Sec. 1579.108. LIMITATIONS. The trustee may not contract  
22 for or provide a health coverage plan that excludes from  
23 participation in the network a general hospital that:

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

26 (A) has a population of at least 100,000 and not  
27 more than 233,500 [~~210,000~~]; and



1 (B) is located in the Texas-Louisiana border  
2 region, as that term is defined in Section 2056.002(e), Government  
3 Code; and

4 (2) agrees to provide medical and health care services  
5 under the plan subject to the same terms as other hospital providers  
6 under the plan.

7 SECTION 119. Section 21.101, Local Government Code, is  
8 amended to read as follows:

9 Sec. 21.101. REMOVAL BY RECALL ELECTION AUTHORIZED. A  
10 member of the governing body of a general-law municipality with a  
11 population of less than 3,000 [~~5,000~~] located in a county that  
12 borders the United Mexican States and contains a municipality with  
13 [~~has~~] a population of more than 500,000 [~~800,000~~] may be removed  
14 from office through a recall election initiated by petition as  
15 provided by this subchapter.

16 SECTION 120. Section 22.041(c), Local Government Code, is  
17 amended to read as follows:

18 (c) In addition to an absence described by Subsection (b), a  
19 member of a governing body is also considered absent for the  
20 purposes of that subsection if the member is not present at the  
21 adjournment of a meeting at which a quorum is established, unless  
22 the member is first allowed to withdraw by the unanimous vote of the  
23 members present. This subsection applies only to a municipality  
24 that is located in a county that borders the United Mexican States  
25 and contains a municipality with a population of 500,000 [~~800,000~~]  
26 or more [~~that is adjacent to an international border~~].

27 SECTION 121. Section 42.021(d), Local Government Code, is

1 amended to read as follows:

2 (d) Regardless of Subsection (a), the extraterritorial  
3 jurisdiction of a municipality is the unincorporated area that is  
4 contiguous to the corporate boundaries of the municipality and that  
5 is located within three miles of those boundaries if the  
6 municipality:

7 (1) has a population of not less than 25,000 [~~20,000~~]  
8 or more than 27,000 [~~29,000~~]; and

9 (2) is located in a county that has a population of  
10 45,000 or more and borders the Trinity River.

11 SECTION 122. Section 42.0251(a), Local Government Code, is  
12 amended to read as follows:

13 (a) This section applies only to a general-law  
14 municipality:

15 (1) that has a population of less than 4,000 [~~3,000~~];

16 (2) that is located in a county with a population of  
17 more than 800,000 [~~500,000~~] that is adjacent to a county with a  
18 population of more than four million; and

19 (3) in which at least two-thirds of the residents  
20 reside within a gated community.

21 SECTION 123. Section 43.0751(n), Local Government Code, is  
22 amended to read as follows:

23 (n) This subsection applies only to a municipality any  
24 portion of which is located in a county that has a population of not  
25 less than 315,000 [~~285,000~~] and not more than 351,000 [~~300,000~~] and  
26 that borders the Gulf of Mexico and is adjacent to a county with a  
27 population of more than 3.3 million. A municipality may impose

1 within the boundaries of a district a municipal sales and use tax  
2 authorized by Chapter 321, Tax Code, or a municipal hotel occupancy  
3 tax authorized by Chapter 351, Tax Code, that is imposed in the  
4 municipality if:

5 (1) the municipality has annexed the district for  
6 limited purposes under this section; or

7 (2) following two public hearings on the matter, the  
8 municipality and the district enter a written agreement providing  
9 for the imposition of the tax or taxes.

10 SECTION 124. Section 43.1025(a), Local Government Code, is  
11 amended to read as follows:

12 (a) This section applies only to a home-rule municipality  
13 that has a population of less than 13,000 [~~11,000~~] and is located  
14 primarily in a county with a population of more than 3.3 million.

15 SECTION 125. Section 81.029(a), Local Government Code, is  
16 amended to read as follows:

17 (a) This section applies only to a county judge in a county  
18 that is located on the international border and contains a  
19 municipality with [~~has~~] a population of 500,000 or more [~~than~~  
20 ~~800,000 and is located on the international border~~].

21 SECTION 126. Section 81.033(a), Local Government Code, is  
22 amended to read as follows:

23 (a) This section applies only to a commissioners court of a  
24 county that has a population of more than 4,500 [~~5,000~~], is located  
25 within 100 miles of an international boundary, and contains no  
26 incorporated territory of a municipality.

27 SECTION 127. Section 89.001(a), Local Government Code, is

1 amended to read as follows:

2 (a) The commissioners court of a county with a population of  
3 more than two [~~1.25~~] million may employ an attorney as special  
4 counsel.

5 SECTION 128. Section 106.001, Local Government Code, is  
6 amended to read as follows:

7 Sec. 106.001. CREATION OF CHILD SAFETY TRUST FUND IN  
8 CERTAIN MUNICIPALITIES. A child safety trust fund shall be created  
9 in the treasury of a municipality with a population of more than 1.3  
10 million [~~850,000~~].

11 SECTION 129. Section 115.044(a), Local Government Code, is  
12 amended to read as follows:

13 (a) A county with a population of 372,000 [~~312,000~~] to  
14 410,000 [~~330,000~~] shall conduct a biennial independent audit of all  
15 books, records, and accounts of each district, county, and precinct  
16 officer, agent, or employee, including those of the regular county  
17 auditor, and of all governmental units of the county hospitals,  
18 farms, and other institutions. The audit must cover all matters  
19 relating to the fiscal affairs of the county. The audit shall be  
20 conducted in each even-numbered year and must be completed before  
21 December 31 of the year.

22 SECTION 130. Section 120.001, Local Government Code, is  
23 amended to read as follows:

24 Sec. 120.001. APPLICABILITY. This chapter applies only to  
25 a county with a population of more than 1.2 [~~one~~] million.

26 SECTION 131. Section 143.025(1), Local Government Code, is  
27 amended to read as follows:

1           (1) In a municipality with a population of more than 1.4  
2 ~~[1.3]~~ million and less than 2 million, an examination for a  
3 beginning position in the fire department may include testing  
4 instruments to be used in addition to the written examination in the  
5 establishment of the initial eligibility list.

6           SECTION 132. The heading to Section 143.114, Local  
7 Government Code, is amended to read as follows:

8           Sec. 143.114. ASSIGNMENT PAY IN MUNICIPALITY WITH  
9 POPULATION OF 1.5 ~~[1.2]~~ MILLION OR MORE.

10          SECTION 133. Sections 152.032(b), (d), and (e), Local  
11 Government Code, are amended to read as follows:

12           (b) This subsection applies only to a county that employs an  
13 arena venue project manager hired as of March 7, 2001, and that has  
14 a population of less than 2.1 ~~[1.8]~~ million in which a municipality  
15 with a population of more than one million is located. The amount  
16 of the compensation and allowances of a county auditor in a county  
17 subject to this subsection may not exceed the amount of the  
18 compensation and allowances received from all sources by the county  
19 budget officer. If the county hires a county budget officer at a  
20 salary lower than the salary of the previous county budget officer,  
21 the county auditor's salary may not be reduced on that basis.

22           (d) The amount of the compensation and allowances of a  
23 county auditor in a county subject to this subsection may be set in  
24 an amount that exceeds the limit established by Subsection (a) if  
25 the compensation and allowances are approved by the commissioners  
26 court of the county. This subsection applies only to:

27           (1) ~~[a county with a population of more than 108,000~~

1 ~~and less than 110,000;~~

2           ~~(2)~~ a county with a population of 120,000 or more,  
3 excluding a county subject to Subsection (b);

4           (2) ~~(3)~~ a county with a population of more than  
5 1,000 and less than 23,000 that borders the Gulf of Mexico;

6           (3) ~~(4)~~ a county with a population of more than  
7 11,000 and less than 11,350 ~~11,650~~; and

8           (4) ~~(5)~~ a county that:

9                   (A) borders a county with a population of more  
10 than one million; and

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

13           (e) This subsection applies only to a county with a  
14 population of more than 1.2 ~~one~~ million that uses an automated  
15 system to enhance internal controls of county finances through the  
16 use of automated edit checks of its automated purchasing system and  
17 its comprehensive automated payroll system. The amount of the  
18 compensation and allowances of a county auditor in a county  
19 governed by this subsection may exceed the limit imposed by  
20 Subsection (a) if the compensation and allowances are approved by  
21 the commissioners court. If a county is governed by this  
22 subsection and Subsection (b), the amount of compensation and  
23 allowances received by the county auditor may not exceed the limit  
24 imposed by Subsection (b).

25           SECTION 134. Section [152.904](#)(c), Local Government Code, is  
26 amended to read as follows:

27           (c) The commissioners court of a county with a population of

1 315,000 [~~285,000~~] to 351,000 [~~300,000~~] shall set the annual salary  
2 of the county judge at an amount equal to or greater than 90 percent  
3 of the salary, including supplements, of any district judge in  
4 Galveston County. However, the salary may not be set at an amount  
5 less than the salary paid the county judge on May 2, 1962.

6 SECTION 135. Section 158.008(e), Local Government Code, is  
7 amended to read as follows:

8 (e) A member of the commissioners court of a county with a  
9 population of 2.5 [~~two~~] million or more is not prohibited from being  
10 appointed to the civil service commission.

11 SECTION 136. Section 161.001, Local Government Code, is  
12 amended to read as follows:

13 Sec. 161.001. APPLICABILITY OF CHAPTER. This chapter  
14 applies only to:

15 (1) a county that:

16 (A) contains a municipality that has a population  
17 of 500,000 [~~300,000~~] or more;

18 (B) is located on the international border; and

19 (C) before September 1, 2009, had a county ethics  
20 board appointed by the commissioners court;

21 (2) a county that:

22 (A) has a population of 425,000 or more;

23 (B) is adjacent to a county with a population of  
24 3.3 million or more; and

25 (C) contains a portion of the San Jacinto River;

26 and

27 (3) a county that has a population of less than 50,000

1 [40,000] that is adjacent to a county with a population of more than  
2 3.3 million.

3 SECTION 137. Section 170.002(a), Local Government Code, is  
4 amended to read as follows:

5 (a) This section applies to a county that has a population  
6 of less than 50,000 [~~40,000~~] that is adjacent to a county with a  
7 population of more than 3.3 million.

8 SECTION 138. Section 180.003(a), Local Government Code, is  
9 amended to read as follows:

10 (a) In a county with a population of 372,000 [~~312,000~~] to  
11 400,000 [~~330,000~~], a sheriff, deputy, constable, or other peace  
12 officer of the county or a municipality located in the county may  
13 not be required to be on duty more than 48 hours a week unless the  
14 peace officer is called on by a superior officer to serve during an  
15 emergency as determined by the superior officer.

16 SECTION 139. Section 212.0146(a), Local Government Code, is  
17 amended to read as follows:

18 (a) This section applies only to a replat of a subdivision  
19 or a part of a subdivision located in a municipality or the  
20 extraterritorial jurisdiction of a municipality with a population  
21 of 1.4 [~~1.3~~] million or more.

22 SECTION 140. Section 212.151, Local Government Code, is  
23 amended to read as follows:

24 Sec. 212.151. MUNICIPALITY COVERED BY SUBCHAPTER. This  
25 subchapter applies only to a municipality:

26 (1) with a population of 1.5 million or more that  
27 passes an ordinance that requires uniform application and



1 enforcement of this subchapter with regard to all property and  
2 residents;

3 (2) with a population of less than 4,500 [~~4,000~~] that:

4 (A) is located in two counties, one of which has a  
5 population greater than 45,000; and

6 (B) borders Lake Lyndon B. Johnson; or

7 (3) that does not have zoning ordinances and passes an  
8 ordinance that requires uniform application and enforcement of this  
9 subchapter with regard to all property and residents.

10 SECTION 141. Section 214.003(b-1), Local Government Code,  
11 is amended to read as follows:

12 (b-1) This subsection applies only to a municipality wholly  
13 or partly located in a county that is located along the  
14 international border and contains [~~has~~] a municipality with a  
15 population of 500,000 [~~800,000~~] or more. The court may appoint as  
16 a receiver under Subsection (b) an individual without a  
17 demonstrated record of rehabilitating properties if the  
18 municipality demonstrates that:

19 (1) no individual with a demonstrated record of  
20 rehabilitating properties is available; and

21 (2) the individual being appointed is competent and  
22 able to fulfill the duties of a receiver.

23 SECTION 142. Section 214.161, Local Government Code, is  
24 amended to read as follows:

25 Sec. 214.161. MUNICIPALITY COVERED BY SUBCHAPTER. This  
26 subchapter applies only to a municipality with a population of more  
27 than 1.18 million located primarily in a county with a population of

1 2.5 [~~2~~] million or more.

2 SECTION 143. Section 214.233(a), Local Government Code, is  
3 amended to read as follows:

4 (a) A municipality located in a county with a population of  
5 2.5 [~~two~~] million or more may adopt an ordinance requiring owners of  
6 vacant buildings to register their buildings by filing a  
7 registration form with a designated municipal official.

8 SECTION 144. Section 229.003(a), Local Government Code, is  
9 amended to read as follows:

10 (a) This section applies only to a municipality located  
11 wholly or partly in a county:

12 (1) with a population of one million [~~750,000~~] or  
13 more;

14 (2) in which all or part of a municipality with a  
15 population of one million or more is located; and

16 (3) that is located adjacent to a county with a  
17 population of 2.5 [~~two~~] million or more.

18 SECTION 145. Section 232.045(a), Local Government Code, is  
19 amended to read as follows:

20 (a) This section applies only to a county [~~with a population~~  
21 ~~of more than 800,000~~] that is adjacent to an international border  
22 and contains a municipality with a population of 500,000 or more.

23 SECTION 146. Section 232.151, Local Government Code, is  
24 amended to read as follows:

25 Sec. 232.151. APPLICABILITY. This subchapter applies to a  
26 county that:

27 (1) contains a municipality with [~~has~~] a population of

1 more than 500,000 [~~800,000~~];

2 (2) is adjacent to an international border; and

3 (3) contains more than 30,000 acres of lots that have  
4 remained substantially undeveloped for more than 25 years after the  
5 date the lots were platted.

6 SECTION 147. Section 234.032, Local Government Code, is  
7 amended to read as follows:

8 Sec. 234.032. APPLICABILITY. This subchapter applies only  
9 in the unincorporated area of a county [~~if the county~~]:

10 (1) in which [~~contains~~] two or more municipalities  
11 with a population of 350,000 [~~250,000~~] or more are wholly or  
12 primarily located;

13 (2) that is [~~a county~~] adjacent to a county described  
14 by Subdivision (1); or

15 (3) that is [~~a county~~] adjacent to a county described  
16 by Subdivision (2) and:

17 (A) has a population of not more than 55,000  
18 [~~50,000~~] and contains a municipality with a population of at least  
19 20,000; or

20 (B) in which [~~contains, wholly or partly,~~] two or  
21 more municipalities with a population of 280,000 [~~250,000~~] or more  
22 are partly located.

23 SECTION 148. Section 240.042(a), Local Government Code, is  
24 amended to read as follows:

25 (a) The commissioners court of a county with a population of  
26 2.1 [~~1.8~~] million or more by order may regulate the placement of  
27 private water wells in the unincorporated area of the county to

1 prevent:

2 (1) the contamination of a well from an on-site sewage  
3 disposal system;

4 (2) rendering an on-site sewage disposal system that  
5 was in place before the well was drilled out of compliance with  
6 applicable law because of the placement of the well; and

7 (3) drilling of a domestic well into a contaminated  
8 groundwater plume or aquifer.

9 SECTION 149. Section 240.082(a), Local Government Code, is  
10 amended to read as follows:

11 (a) This subchapter applies only to real property that is  
12 located in the unincorporated area of a county with a population of  
13 2.1 [~~1.8~~] million or more.

14 SECTION 150. Section 242.003(a), Local Government Code, is  
15 amended to read as follows:

16 (a) This section applies only to:

17 (1) a county that is [~~having a population of more than~~  
18 ~~800,000 and~~] located on the international border and contains a  
19 municipality with a population of 500,000 or more; and

20 (2) a municipality that has extraterritorial  
21 jurisdiction, as defined by Section 212.001, in the [~~that~~] county  
22 described by Subdivision (1).

23 SECTION 151. Section 250.011(c), Local Government Code, as  
24 added by Chapter 315 (H.B. 738), Acts of the 87th Legislature,  
25 Regular Session, 2021, is amended to read as follows:

26 (c) Subsection (a) does not apply to:

27 (1) a municipality that has enacted an ordinance,

1 bylaw, order, building code, or rule requiring the installation of  
2 a multipurpose residential fire protection sprinkler system or any  
3 other fire protection sprinkler system in a new or existing one- or  
4 two-family dwelling on or before January 1, 2009; or

5 (2) an emergency services district:

6 (A) that before February 1, 2013, has adopted a  
7 fire code, fire code amendments, or other requirements in conflict  
8 with Subsection (a); and

9 (B) whose territory is located:

10 (i) in or adjacent to a general law  
11 municipality with a population of less than 4,000 that is served by  
12 a water control and improvement district governed by Chapter 51,  
13 Water Code; and

14 (ii) in a county that has a population of  
15 more than 1.2 [~~one~~] million and is adjacent to a county with a  
16 population of more than 600,000 [~~420,000~~].

17 SECTION 152. Section 253.001(1), Local Government Code, is  
18 amended to read as follows:

19 (1) Subsection (b) does not apply to a conveyance of park  
20 land owned by a home-rule municipality that:

21 (1) is located in a county with a population of more  
22 than three million; and

23 (2) has a population of more than 33,000 [~~25,000~~] and  
24 less than 35,000 [~~33,000~~].

25 SECTION 153. Section 253.013(a), Local Government Code, is  
26 amended to read as follows:

27 (a) This section applies only to:

1           (1) a municipality with a population greater than  
2 150,000 and less than 200,000 that is located in three counties; and

3           (2) a municipality with a population greater than  
4 78,000 [~~65,000~~] and less than 88,000 [~~90,000~~] that is located in a  
5 county in which part but not all of a military installation is  
6 located.

7           SECTION 154. Section 263.007(e)(2), Local Government Code,  
8 is amended to read as follows:

9           (2) The commissioners court of a county with a  
10 population of 2.1 [~~one~~] million or more that contains two or more  
11 municipalities with a population of 350,000 [~~250,000~~] or more may  
12 lease real property owned or controlled by the county to a  
13 for-profit entity to conduct health and human service activities  
14 which the commissioners court finds to be in the public interest,  
15 without using the sealed-bid or sealed-proposal process described  
16 in Subsection (a) and without using any other competitive bidding  
17 process which would otherwise be required by law.

18           SECTION 155. Section 263.1545(a), Local Government Code, is  
19 amended to read as follows:

20           (a) This section applies only to surplus property that:

21           (1) is owned by a county with a population of more than  
22 1.2 [~~1~~] million and less than 1.5 million;

23           (2) uses a high level of technology;

24           (3) was used or will be used in connection with or for  
25 a highly specialized program; and

26           (4) was purchased by the county for more than  
27 \$250,000.

1 SECTION 156. Section 270.005(a), Local Government Code, is  
2 amended to read as follows:

3 (a) The commissioners court of a county with a population of  
4 251,000 to 260,000 [~~275,000~~] may contract with the United States  
5 government or a federal agency for:

6 (1) the joint construction or improvement of roads,  
7 bridges, or other county improvements; or

8 (2) the maintenance of a project constructed under  
9 this section.

10 SECTION 157. Section 272.001(h), Local Government Code, is  
11 amended to read as follows:

12 (h) A municipality, other than a municipality with a  
13 population of more than one million that is located primarily in a  
14 county with a population of 2.5 [~~two~~] million or more, owning land  
15 within 5,000 feet of where the shoreline of a lake would be if the  
16 lake were filled to its storage capacity may, without notice or the  
17 solicitation of bids, sell the land to the person leasing the land  
18 for the fair market value of the land as determined by a certified  
19 appraiser. While land described by this subsection is under lease,  
20 the municipality owning the land may not sell the land to any person  
21 other than the person leasing the land. To protect the public  
22 health, safety, or welfare and to ensure an adequate municipal  
23 water supply, property sold by the municipality under this  
24 subsection is not eligible for and the owner is not entitled to the  
25 exemption provided by Section 11.142(a), Water Code. The  
26 instrument conveying property under this subsection must include a  
27 provision stating that the exemption does not apply to the

1 conveyance. In this subsection, "lake" means an inland body of  
2 standing water, including a reservoir formed by impounding the  
3 water of a river or creek but not including an impoundment of salt  
4 water or brackish water, that has a storage capacity of more than  
5 10,000 acre-feet.

6 SECTION 158. Section 292.023(a), Local Government Code, is  
7 amended to read as follows:

8 (a) This section applies only to a county with a population  
9 of:

10 (1) 32,800 [~~35,500~~] to 34,000 [~~36,000~~]; or

11 (2) 98,000 [~~85,000~~] to 105,000 [~~86,500~~].

12 SECTION 159. Section 292.025(a), Local Government Code, is  
13 amended to read as follows:

14 (a) This section applies only to a county with a population  
15 of 35,850 [~~35,050~~] to 36,000 [~~35,090~~].

16 SECTION 160. Section 292.027(a), Local Government Code, is  
17 amended to read as follows:

18 (a) This section applies only to a county with a population  
19 of 57,900 [~~57,000~~] to 59,000.

20 SECTION 161. Section 292.031(a), Local Government Code, is  
21 amended to read as follows:

22 (a) This section applies only to a county with a population  
23 of less than 50,000 [~~40,000~~] that is adjacent to a county with a  
24 population of more than 3.3 million.

25 SECTION 162. The heading to Chapter 307, Local Government  
26 Code, is amended to read as follows:

27 CHAPTER 307. USE OF TIDELANDS FOR PARK PURPOSES: GULF COAST



MUNICIPALITIES WITH POPULATION OF 50,000 [~~60,000~~] OR MORE

SECTION 163. Section 320.0455(a), Local Government Code, is amended to read as follows:

(a) This section applies only to a county with a population of:

(1) 2.8 million or more;

(2) 800,000 [~~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 [~~410,000~~] and less than 620,000 [~~455,000~~].

SECTION 164. The heading to Chapter 322, Local Government Code, is amended to read as follows:

CHAPTER 322. JOINT PARKS BOARD AND PARK BONDS: ADJACENT COUNTIES WITH POPULATIONS OF 2.1 MILLION [~~350,000~~] OR MORE

SECTION 165. Section 322.001, Local Government Code, is amended to read as follows:

Sec. 322.001. ELIGIBLE COUNTIES. Two adjacent counties that each have a population of 2.1 [~~one~~] million or more may 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 166. Section 327.051, Local Government Code, is amended to read as follows:

Sec. 327.051. COUNTIES AUTHORIZED TO CREATE ZOO BOARD. The commissioners court of a county with a population of more than 2.1 [~~1.5~~] million that is adjacent to a county with a population of more than 2.1 [~~one~~] million by order may authorize the creation of a zoo board under this chapter to establish, finance, and manage

1 facilities and services to provide conservation, education,  
2 research, public recreation, and care relating to the study and  
3 display of animals and other specimens in a public zoological park.

4 SECTION 167. Section 334.0082(a), Local Government Code, is  
5 amended to read as follows:

6 (a) This section applies only to a municipality that:

7 (1) has a population of at least 250,000 [~~176,000~~]  
8 that borders the Rio Grande, and that approved a sports and  
9 community venue project before January 1, 2009; or

10 (2) is located in a county adjacent to the  
11 Texas-Mexico border if:

12 (A) the county has a population of at least  
13 500,000;

14 (B) the county does not have a city located  
15 within it that has a population of at least 500,000; and

16 (C) the municipality is the largest municipality  
17 in the county described by this subdivision.

18 SECTION 168. Section 334.103(c), Local Government Code, is  
19 amended to read as follows:

20 (c) A county with a population of more than 2.5 [~~two~~]  
21 million that is adjacent to a county with a population of more than  
22 2.1 [~~one~~] million may impose the tax authorized by this subchapter  
23 at a rate not to exceed six percent on the gross rental receipts  
24 from the rental in the county of a motor vehicle.

25 SECTION 169. Section 334.1041(a), Local Government Code, is  
26 amended to read as follows:

27 (a) This section applies only to a county with a population

1 of more than 2.5 [~~two~~] million that is adjacent to a county with a  
2 population of more than 2.1 [~~one~~] million.

3 SECTION 170. Section 334.202(b-1), Local Government Code,  
4 is amended to read as follows:

5 (b-1) A municipality with a population of more than 700,000  
6 within a county with a population of more than 2.1 [~~one~~] million  
7 adjacent to a county with a population of more than 2.5 [~~two~~]  
8 million may impose the tax authorized by this subchapter at a rate  
9 not to exceed \$5 for each motor vehicle.

10 SECTION 171. Section 334.2031(a), Local Government Code, is  
11 amended to read as follows:

12 (a) This section applies only to a municipality with a  
13 population of more than 700,000 within a county with a population of  
14 more than 2.1 [~~one~~] million that is adjacent to a county with a  
15 population of more than 2.5 [~~two~~] million.

16 SECTION 172. Section 334.2518(a), Local Government Code, is  
17 amended to read as follows:

18 (a) This section applies only to a municipality that has a  
19 population of more than 1.3 [~~1~~] million but less than 1.4 [~~1.3~~]  
20 million.

21 SECTION 173. Section 334.254(c), Local Government Code, is  
22 amended to read as follows:

23 (c) Except as provided by Subsection (d), a county with a  
24 population of more than 2.5 [~~two~~] million that is adjacent to a  
25 county with a population of more than 2.1 [~~one~~] million may impose  
26 the tax authorized by this subchapter at any rate not to exceed  
27 three percent of the price paid for a room in a hotel.

1 SECTION 174. Section 335.076(a), Local Government Code, is  
2 amended to read as follows:

3 (a) This section applies only in relation to an approved  
4 venue project constructed and operated under the authority of a  
5 district in a county with a population of more than 2.5 [~~two~~]  
6 million that is adjacent to a county with a population of more than  
7 2.1 [~~one~~] million.

8 SECTION 175. Section 342.901(a), Local Government Code, is  
9 amended to read as follows:

10 (a) This section applies to a general law municipality that:

11 (1) has a population of less than 4,000;

12 (2) is located in a county that:

13 (A) has a population of more than 1.2 [~~one~~]  
14 million; and

15 (B) is adjacent to a county with a population of  
16 more than 600,000 [~~420,000~~]; and

17 (3) is served by a district governed by Chapter 51,  
18 Water Code.

19 SECTION 176. The heading to Subchapter B, Chapter 343,  
20 Local Government Code, is amended to read as follows:

21 SUBCHAPTER B. PROVISIONS APPLICABLE TO MUNICIPALITIES WITH A  
22 POPULATION OF MORE THAN 1.3 MILLION [~~850,000~~]

23 SECTION 177. Section 343.011, Local Government Code, is  
24 amended to read as follows:

25 Sec. 343.011. APPLICATION. This subchapter applies only to  
26 a municipality with a population of more than 1.3 million  
27 [~~850,000~~].

1 SECTION 178. Section 344.051(a-1), Local Government Code,  
2 is amended to read as follows:

3 (a-1) The governing body of a municipality may propose the  
4 creation of a fire control, prevention, and emergency medical  
5 services district under this chapter if the municipality:

6 (1) has a population of 5,000 or more and less than  
7 25,000; and

8 (2) is located in a county with a population of one  
9 million [~~750,000~~] or more:

10 (A) in which all or part of a municipality with a  
11 population of one million or more is located; and

12 (B) that is adjacent to a county with a  
13 population of 2.5 [~~two~~] million or more.

14 SECTION 179. Section 351.04155(a), Local Government Code,  
15 is amended to read as follows:

16 (a) This section applies only to a county that:

17 (1) has a population of 2.1 [~~one~~] million or more;

18 (2) has two municipalities with a population of  
19 250,000 [~~200,000~~] or more; and

20 (3) is adjacent to a county with a population of 2.1  
21 [~~one~~] million or more.

22 SECTION 180. Section 351.901(b), Local Government Code, is  
23 amended to read as follows:

24 (b) The commissioners court of a county by contract may  
25 donate money to one or more crime stoppers or crime prevention  
26 organizations for expenditure by the organizations to meet the  
27 goals identified in Subsection (a). The total amount of all

1 donations made in a calendar year may not exceed:

2 (1) \$25,000; or

3 (2) \$100,000, for a county with a population of 1.2  
4 [~~one~~] million or more.

5 SECTION 181. Section 361.042(a), Local Government Code, is  
6 amended to read as follows:

7 (a) Instead of providing and maintaining its own jail, the  
8 commissioners court of a county with a population of 120,000  
9 [~~110,000~~] to 123,000 [~~113,000~~] may provide safe and suitable jail  
10 facilities for the county by contracting for the facilities with  
11 the governing body of the municipality that is the county seat of  
12 the county.

13 SECTION 182. Section 362.005(a), Local Government Code, is  
14 amended to read as follows:

15 (a) The sheriff's department of a county with a population  
16 of at least 870,000 [~~700,000 but not more than 800,000~~] that borders  
17 the Texas-Mexico border and the police department of the  
18 municipality having the largest population in that county shall  
19 jointly establish and operate the Texas Transnational Intelligence  
20 Center as a central repository of real-time intelligence relating  
21 to:

22 (1) autopsies in which the person's death is likely  
23 connected to transnational criminal activity;

24 (2) criminal activity in the counties along the  
25 Texas-Mexico border and certain other counties; and

26 (3) other transnational criminal activity in the  
27 state.

1 SECTION 183. Section 371.001(a), Local Government Code, is  
2 amended to read as follows:

3 (a) The governing body of a municipality with a population  
4 of 1.3 million [~~900,000~~] or less may appropriate from its general  
5 fund an amount not to exceed one percent of the general fund budget  
6 for that year for the purpose of advertising the municipality and  
7 promoting its growth and development.

8 SECTION 184. (a) Section 372.0035(a), Local Government  
9 Code, as amended by Chapters 59 (S.B. 385), 60 (S.B. 642), 244 (H.B.  
10 1417), 994 (H.B. 1135), 995 (H.B. 1136), 997 (H.B. 1474), and 1271  
11 (S.B. 386), Acts of the 86th Legislature, Regular Session, 2019, is  
12 reenacted as Sections 372.0035(a) and (a-1), Local Government Code,  
13 and amended to read as follows:

14 (a) This section applies only to:

15 (1) a municipality that:

16 (A) has a population of more than 900,000  
17 [~~650,000~~] and less than two million;

18 (B) has a population of more than 325,000 and  
19 less than 625,000; [~~or~~]

20 (C) has a population of more than 197,000  
21 [~~180,000~~] and less than 200,500 [~~200,000~~];

22 (D) [~~(C)~~] has a population of more than 256,000  
23 [~~200,000~~] and less than 257,000 [~~225,000~~];

24 (E) [~~(C)~~] has a population of more than 20,000  
25 and is wholly located in a county with a population of more than  
26 62,000 [~~55,000~~] and less than 68,000 [~~65,000~~];

27 (F) [~~(C)~~] has a population of more than 200,000

1 ~~[115,000]~~ and borders Lake Lewisville;

2 (G) [~~(C)~~] has a population of more than 138,000  
3 ~~[105,000]~~ and is wholly located in a county with a population of  
4 less than 265,000 [~~250,000~~]; or

5 (H) [~~(C)~~] has a population of more than 130,000  
6 ~~[100,000]~~ and less than 140,000 [~~125,000~~] and is wholly located in a  
7 county with a population of more than 900,000 [~~650,000~~]; and

8 (2) a public improvement district established under  
9 this subchapter and solely composed of territory in which the only  
10 businesses are:

11 (A) hotels with 100 or more rooms ordinarily used  
12 for sleeping, if the district is established by a municipality  
13 described by Subdivision (1)(A); [~~or~~]

14 (B) hotels with 75 or more rooms ordinarily used  
15 for sleeping, if the district is established by a municipality  
16 described by Subdivision (1)(B), (D), (E), (F), (G), or (H) [~~(C)~~];  
17 or

18 (C) hotels with 10 or more rooms ordinarily used  
19 for sleeping, if the district is established by a municipality  
20 described by Subdivision (1)(C).

21 (a-1) This section applies only to a public improvement  
22 district established by a municipality under this subchapter and  
23 solely composed of territory in which the only businesses are one or  
24 more hotels.

25 (b) Section [372.0035\(e\)](#), Local Government Code, as added by  
26 Chapter 997 (H.B. 1474), Acts of the 86th Legislature, Regular  
27 Session, 2019, is redesignated as Section [372.0035\(e-1\)](#), Local



1 Government Code, to read as follows:

2 (e-1) [~~(e)~~] A municipality may undertake a project under  
3 this section only for a purpose described by Section  
4 372.003(b)(13).

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

8 (1) Section 372.0035(e), Local Government Code, as  
9 added by Chapter 59 (S.B. 385), Acts of the 86th Legislature,  
10 Regular Session, 2019; and

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

14 (d) Section 372.005(b-1), Local Government Code, is amended  
15 to read as follows:

16 (b-1) Notwithstanding Subsection (b), a petition for the  
17 establishment of a public improvement district described by Section  
18 372.0035(a) or (a-1) is sufficient only if signed by record owners  
19 of taxable real property liable for assessment under the proposal  
20 who constitute:

21 (1) more than 60 percent of the appraised value of  
22 taxable real property liable for assessment under the proposal, as  
23 determined by the current roll of the appraisal district in which  
24 the property is located; and

25 (2) more than 60 percent of:

26 (A) all record owners of taxable real property  
27 that are liable for assessment under the proposal; or

1 (B) the area of all taxable real property that is  
2 liable for assessment under the proposal.

3 SECTION 185. Section 372.151, Local Government Code, is  
4 amended to read as follows:

5 Sec. 372.151. APPLICABILITY. This subchapter applies only  
6 to a county that:

7 (1) does not wholly contain a [~~contains no~~]  
8 municipality with a population of more than 50,000; and

9 (2) is adjacent to at least two counties, each with a  
10 population of more than 2.1 [~~one~~] million.

11 SECTION 186. Section 373A.003(a), Local Government Code, is  
12 amended to read as follows:

13 (a) This chapter applies to a municipality with a population  
14 of more than 950,000 [~~750,000~~] that is located in a uniform state  
15 service region with fewer than 550,000 occupied housing units as  
16 determined by the most recent United States decennial census.

17 SECTION 187. Section 377.051(e), Local Government Code, is  
18 amended to read as follows:

19 (e) Notwithstanding Subsection (d), a person may qualify to  
20 serve as a director of a district if the person resides in the  
21 independent school district that serves the majority of the  
22 district and the district is located in a municipality:

23 (1) with a population of more than 5,000 and less than  
24 6,000 and that is located wholly in a county with a population of  
25 more than 20,000 and less than 25,000 and that borders the Brazos  
26 River; or

27 (2) with a population of more than 1,450 [~~1,488~~] and

1 less than 2,500 and that is located wholly in a county with a  
2 population of more than 20,000 and less than 30,000 that borders the  
3 Neches River and the Trinity River.

4 SECTION 188. Section 381.001(c), Local Government Code, is  
5 amended to read as follows:

6 (c) In a county with a population of 15,800 [~~14,600~~] to  
7 16,800 [~~14,800~~], or 16,950 [~~16,615~~] to 17,400 [~~16,715~~], or 18,600  
8 [~~17,800~~] to 19,000 [~~18,000~~], or 24,600 to 24,800, a person  
9 appointed to the commission also must be serving or must have served  
10 on an industrial foundation committee, commissioners court,  
11 municipality's governing body, or school board. In addition, in  
12 those counties information obtained by the commission shall be  
13 available to the commissioners court.

14 SECTION 189. Section 382.002, Local Government Code, is  
15 amended to read as follows:

16 Sec. 382.002. APPLICABILITY. This chapter applies only  
17 to:

18 (1) a county with a population of 1.5 million or more,  
19 other than a county that:

20 (A) borders on the Gulf of Mexico or a bay or  
21 inlet of the gulf; or

22 (B) has two municipalities located wholly or  
23 partly in its boundaries each having a population of 225,000 or  
24 more; or

25 (2) a county with a population of 70,000 or more that  
26 is adjacent to a county described by Subdivision (1) in which a  
27 municipality with a population of 90,000 [~~35,000~~] or more is

1 primarily situated and includes all or a part of the  
2 extraterritorial jurisdiction of a municipality with a population  
3 of 1.1 million or more.

4 SECTION 190. Section 387.0031(a), Local Government Code, is  
5 amended to read as follows:

6 (a) This section applies only to a district created by a  
7 county with a population of more than 800,000 [~~580,000~~] that  
8 borders a county with a population of more than four million.

9 SECTION 191. Section 392.0131(a), Local Government Code, is  
10 amended to read as follows:

11 (a) This section applies only to the merger of housing  
12 authorities operating in:

13 (1) a county that [~~has a population of 800,000 or more~~  
14 ~~and~~] is located on the international border and contains a  
15 municipality with a population of 500,000 or more; and

16 (2) a municipality that has a population of more than  
17 600,000 and less than 700,000 and is located in a county described  
18 by Subdivision (1).

19 SECTION 192. Sections 397.005(b) and (c), Local Government  
20 Code, are amended to read as follows:

21 (b) This subsection applies only to a defense community that  
22 includes a municipality with a population of more than 125,000  
23 [~~110,000~~] located primarily in a county with a population of less  
24 than 145,000 [~~135,000~~] and that has not adopted airport zoning  
25 regulations under Chapter 241. A defense community that proposes  
26 to adopt or amend an ordinance, rule, or plan in an area located  
27 within eight miles of the boundary line of a military base or

1 defense facility shall notify the base or facility authorities  
2 concerning the compatibility of the proposed ordinance, rule, or  
3 plan with base operations.

4 (c) A defense community that proposes to adopt or amend an  
5 ordinance, rule, or plan that would be applicable in a controlled  
6 compatible land use area as defined by Section 241.003 and that may  
7 impact base operations shall notify the base or facility  
8 authorities concerning the compatibility of the proposed  
9 ordinance, rule, or plan with base operations. This subsection  
10 applies only to a defense community that has not adopted airport  
11 zoning regulations under Chapter 241 and that:

12 (1) is a county with a population of more than 1.5  
13 million that contains a municipality in which at least 70 [~~75~~]  
14 percent of the county's population resides;

15 (2) is a county with a population of 170,000 [~~130,000~~]  
16 or more that is adjacent to a county described by Subdivision (1);

17 (3) is located in a county described by Subdivision  
18 (1) or (2); or

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

22 SECTION 193. Sections 397.006(a) and (c), Local Government  
23 Code, are amended to read as follows:

24 (a) Subsection (b) applies only to a defense community that  
25 includes a municipality with a population of more than 125,000  
26 [~~110,000~~] located primarily in a county with a population of less  
27 than 145,000 [~~135,000~~] and that has not adopted airport zoning

1 regulations under Chapter 241.

2 (c) On receipt of an application for a permit as defined by  
3 Section 245.001 for a proposed structure that would be located in a  
4 controlled compatible land use area as defined by Section 241.003  
5 and may impact base operations, a defense community shall notify  
6 the base or facility authorities concerning the compatibility of  
7 the proposed structure with base operations. This subsection  
8 applies only to a defense community that has not adopted airport  
9 zoning regulations under Chapter 241 and that:

10 (1) is a county with a population of more than 1.5  
11 million that contains a municipality in which at least 70 [~~75~~]  
12 percent of the county's population resides;

13 (2) is a county with a population of 170,000 [~~130,000~~]  
14 or more that is adjacent to a county described by Subdivision (1);

15 (3) is located in a county described by Subdivision  
16 (1) or (2); or

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

20 SECTION 194. Section 504.002, Local Government Code, is  
21 amended to read as follows:

22 Sec. 504.002. APPLICABILITY OF CHAPTER. This chapter  
23 applies only to a municipality that:

24 (1) is located in a county that has a population of  
25 500,000 or less; or

26 (2) has a population of less than 50,000 and:

27 (A) is located in two or more counties, one of

1 which has a population of 500,000 or more;

2 (B) is located within the territorial limits of,  
3 but has not elected to become a part of, a metropolitan rapid  
4 transit authority:

5 (i) the principal municipality of which has  
6 a population of less than 1.9 million; and

7 (ii) that was created before January 1,  
8 1980, under Chapter 141, Acts of the 63rd Legislature, Regular  
9 Session, 1973, and is operating under Chapter 451, Transportation  
10 Code; or

11 (C) is located within the territorial limits of,  
12 but has not elected to become a part of, a regional transportation  
13 authority:

14 (i) the principal municipality of which has  
15 a population of more than 1.3 million [~~750,000~~]; and

16 (ii) that was created under Chapter 683,  
17 Acts of the 66th Legislature, Regular Session, 1979, or Chapter  
18 452, Transportation Code, and is operating under Chapter 452,  
19 Transportation Code.

20 SECTION 195. Section 505.157(a), Local Government Code, is  
21 amended to read as follows:

22 (a) In this section, "landlocked community" means a  
23 municipality that:

24 (1) is wholly or partly located in a county with a  
25 population of 2.5 [~~two~~] million or more; and

26 (2) has within its municipal limits and  
27 extraterritorial jurisdiction less than 100 acres that can be used

1 for the development of manufacturing or industrial facilities in  
2 accordance with the municipality's zoning laws or land use  
3 restrictions.

4 SECTION 196. Section 552.024(b), Local Government Code, is  
5 amended to read as follows:

6 (b) This section applies only to a home-rule municipality  
7 that:

8 (1) has a population of at least 99,000 and not more  
9 than 160,000;

10 (2) is located in two counties, only one of which has a  
11 population of at least 150,000 [~~132,000~~] and not more than 170,000;  
12 and

13 (3) owns and operates a water system, sewer system, or  
14 combined system.

15 SECTION 197. Section 552.044(1), Local Government Code, is  
16 amended to read as follows:

17 (1)(A) "Benefitted property" means an improved lot or  
18 tract to which drainage service is made available under this  
19 subchapter.

20 (B) "Benefitted property," in a municipality  
21 with a population of more than 1.18 million located primarily in a  
22 county with a population of 2.5 [~~2~~] million or more which is  
23 operating a drainage utility system under this chapter, means a lot  
24 or tract, but does not include land appraised for agricultural use,  
25 to which drainage service is made available under this subchapter  
26 and which discharges into a creek, river, slough, culvert, or other  
27 channel that is part of the municipality's drainage utility



1 system. Sections 552.053(c)(2) and (c)(3) do not apply to a  
2 municipality described in this subdivision.

3 SECTION 198. Section 552.913(a), Local Government Code, is  
4 amended to read as follows:

5 (a) This section applies only to a home-rule municipality  
6 that:

7 (1) has a population of more than 100,000;

8 (2) owns and operates an electric utility that is a  
9 member of a municipal power agency; and

10 (3) is located in a county adjacent to a county with a  
11 population of more than 2.5 [~~two~~] million.

12 SECTION 199. Section 562.016, Local Government Code, is  
13 amended to read as follows:

14 Sec. 562.016. COUNTY WATER AND SEWER SYSTEM. (a) A county  
15 may acquire, own, finance, operate, or contract for the operation  
16 of, a water or sewer utility system to serve an unincorporated area  
17 of the county in the same manner and under the same regulations as a  
18 municipality under Chapter 552. The county must comply with all  
19 provisions of Chapter 13, Water Code, that apply to a municipality.  
20 However, a county with a population of 2.5 [~~two~~] million or more and  
21 any adjoining county may, with the municipality's approval, serve  
22 an area within a municipality.

23 (b) To finance the water or sewer utility system, a county  
24 may issue bonds payable solely from the revenue generated by the  
25 water or sewer utility system. A bond issued under this section is  
26 not a debt of the county but is only a charge on the revenues pledged  
27 and is not considered in determining the ability of the county to

1 issue bonds for any other purpose authorized by law. This  
2 subsection does not authorize the issuance of general obligation  
3 bonds payable from ad valorem taxes to finance a water or sewer  
4 utility system. However, a county with a population of 2.5 [~~two~~]  
5 million or more and any adjoining county may issue general  
6 obligation bonds with the approval of qualified voters.

7 (c) A county may acquire any interest in property necessary  
8 to operate a system authorized by this section through any means  
9 available to the county, including eminent domain. A county may  
10 not use eminent domain under this subsection to acquire property in  
11 a municipality. Provided, however, a county with a population of  
12 2.5 [~~two~~] million or more and any adjoining county may, with the  
13 municipality's approval, use the power of eminent domain under this  
14 subsection to acquire property within a municipality.

15 SECTION 200. Section 615.002(a), Local Government Code, is  
16 amended to read as follows:

17 (a) This section applies to a county with a population of:

- 18 (1) 14,800 [~~14,050~~] to 15,000 [~~14,250~~];  
19 (2) 19,900 [~~19,700~~] to 20,000 [~~19,800~~];  
20 (3) 21,300 [~~21,850~~] to 21,500 [~~22,000~~];  
21 (4) 57,800 [~~54,000~~] to 57,900 [~~54,500~~];  
22 (5) 36,000 [~~36,500~~] to 36,500 [~~36,800~~]; or  
23 (6) 234,000 or more.

24 SECTION 201. Section 615.011(b), Local Government Code, is  
25 amended to read as follows:

26 (b) A county with a population of 44,500 [~~41,500~~] to 45,500  
27 [~~42,500~~] may authorize the use of county equipment, machinery, and

1 employees to construct, establish, and maintain a public airstrip  
2 in the county.

3 SECTION 202. Section 61.018(a-1), Natural Resources Code,  
4 is amended to read as follows:

5 (a-1) A county attorney, district attorney, or criminal  
6 district attorney or the attorney general may not file a suit under  
7 Subsection (a) to obtain a temporary or permanent court order or  
8 injunction, either prohibitory or mandatory, to remove a house from  
9 a public beach if:

10 (1) the line of vegetation establishing the boundary  
11 of the public beach moved as a result of a meteorological event that  
12 occurred before January 1, 2009;

13 (2) the house was located landward of the natural line  
14 of vegetation before the meteorological event;

15 (3) a portion of the house continues to be located  
16 landward of the line of vegetation; and

17 (4) the house is located on a peninsula in a county  
18 with a population of more than 315,000 [~~285,000~~] and less than  
19 351,000 [~~300,000~~] that borders the Gulf of Mexico.

20 SECTION 203. Section 162.001(c-4), Occupations Code, is  
21 amended to read as follows:

22 (c-4) The board shall certify a health organization to  
23 contract with or employ physicians licensed by the board if the  
24 organization:

25 (1) is a hospital district:

26 (A) recognized by a federal agency as a public  
27 entity eligible to receive a grant related to a community or

1 federally qualified health center described by Subdivision (2); and

2 (B) created in a county with a population of more  
3 than 1.2 million [~~800,000~~] that was not included in the boundaries  
4 of a hospital district before September 1, 2003; and

5 (2) is organized and operated as:

6 (A) a migrant, community, or homeless health  
7 center under the authority of and in compliance with 42 U.S.C.  
8 Section 254b or 254c; or

9 (B) a federally qualified health center under 42  
10 U.S.C. Section 1396d(1)(2)(B).

11 SECTION 204. Section [2026.011](#), Occupations Code, is amended  
12 to read as follows:

13 Sec. 2026.011. AUTOMOBILE RACING FACILITY PROHIBITED NEAR  
14 RACETRACK IN CERTAIN COUNTIES. An automobile racing facility may  
15 not be located within 10,000 feet of a horse or greyhound racetrack  
16 that is located in a county with a population of 2.1 [~~1.8~~] million  
17 or more.

18 SECTION 205. Section [2301.6521](#)(a), Occupations Code, is  
19 amended to read as follows:

20 (a) In this section, "affected county" means:

21 (1) a county with a population of 1.2 [~~one~~] million or  
22 more; or

23 (2) a county with a population of 800,000 [~~500,000~~] or  
24 more but less than 1.1 [~~one~~] million that is adjacent to a county  
25 with a population of 1.2 [~~one~~] million or more.

26 SECTION 206. Section [2308.209](#)(b), Occupations Code, is  
27 amended to read as follows:

1 (b) This section applies only to the unincorporated area of  
2 a county:

3 (1) with a population of 450,000 or more that is  
4 adjacent to a county with a population of 3.3 million or more;

5 (2) with a population of less than 9,000 [~~10,000~~] that  
6 is located in a national forest; or

7 (3) adjacent to a county described by Subdivision (2)  
8 that has a population of less than 75,000.

9 SECTION 207. Section [61.021\(c\)](#), Parks and Wildlife Code, is  
10 amended to read as follows:

11 (c) Subsection (b) applies only to hunting on land that is:

12 (1) owned or leased by the Kickapoo Traditional Tribe  
13 of Texas; and

14 (2) located in a county that:

15 (A) borders the United Mexican States and has a  
16 population of more than 50,000 but less than 70,000; or

17 (B) is adjacent to a county described by  
18 Paragraph (A) and has a population of less than 8,000 [~~9,000~~].

19 SECTION 208. Section [5.0622\(a\)](#), Property Code, is amended  
20 to read as follows:

21 (a) This section applies only to a county with a population  
22 of less than 100,000 that is located in a metropolitan statistical  
23 area as defined by the federal Office of Management and Budget:

24 (1) with a population of more than 1.5 million; and

25 (2) adjacent to a different metropolitan statistical  
26 area as defined by the federal Office of Management and Budget with  
27 a population of more than 2.5 [~~2~~] million.

1 SECTION 209. Section 201.001(a), Property Code, is amended  
2 to read as follows:

3 (a) This chapter applies to a residential real estate  
4 subdivision that is located in whole or in part:

5 (1) within a city that has a population of more than  
6 100,000, or within the extraterritorial jurisdiction of such a  
7 city;

8 (2) in the unincorporated area of:

9 (A) a county having a population of 3.3 million  
10 or more; or

11 (B) a county having a population of 50,000  
12 [~~40,000~~] or more that is adjacent to a county having a population of  
13 3.3 million or more; or

14 (3) in the incorporated area of a county having a  
15 population of 50,000 [~~40,000~~] or more that is adjacent to a county  
16 having a population of 3.3 million or more.

17 SECTION 210. Section 204.002(a), Property Code, is amended  
18 to read as follows:

19 (a) This chapter applies only to a residential real estate  
20 subdivision, excluding a condominium development governed by Title  
21 7[~~Property Code~~] that is located in whole or in part:

22 (1) in a county with a population of 3.3 million or  
23 more;

24 (2) in a county with a population of not less than  
25 315,000 [~~285,000~~] and not more than 351,000 [~~300,000~~] that is  
26 adjacent to the Gulf of Mexico and that is adjacent to a county  
27 having a population of 3.3 million or more; or

1           (3) in a county with a population of 275,000 or more  
2 that:

3           (A) is adjacent to a county with a population of  
4 3.3 million or more; and

5           (B) contains part of a national forest.

6       SECTION 211. Section 210.002, Property Code, is amended to  
7 read as follows:

8       Sec. 210.002. APPLICABILITY OF CHAPTER. This chapter  
9 applies to a residential real estate subdivision that is located in  
10 a county with a population of:

11           (1) more than 200,000 and less than 233,500 [~~220,000~~];

12 or

13           (2) more than 45,000 and less than 85,000 [~~80,000~~]

14 that is adjacent to a county with a population of more than 200,000  
15 and less than 233,500 [~~220,000~~].

16       SECTION 212. Section 211.001(4), Property Code, is amended  
17 to read as follows:

18           (4) "Residential real estate subdivision" or  
19 "subdivision" means all land encompassed within one or more maps or  
20 plats of land that is divided into two or more parts if:

21           (A) the maps or plats cover land all or part of  
22 which is not located within a municipality and:

23                   (i) for a county with a population of less  
24 than 65,000, is not located within the extraterritorial  
25 jurisdiction of a municipality;

26                   (ii) for a county with a population of at  
27 least 65,000 and less than 135,000, is located wholly within the

1 extraterritorial jurisdiction of a municipality; or

2 (iii) for a county that borders Lake  
3 Buchanan and has a population of at least 21,000 [~~18,500~~] and less  
4 than 22,000 [~~19,500~~], is located wholly within the extraterritorial  
5 jurisdiction of a municipality;

6 (B) the land encompassed within the maps or plats  
7 is or was burdened by restrictions limiting all or at least a  
8 majority of the land area covered by the map or plat, excluding  
9 streets and public areas, to residential use only; and

10 (C) all instruments creating the restrictions  
11 are recorded in the deed or real property records of a county.

12 SECTION 213. Section 211.002(a), Property Code, is amended  
13 to read as follows:

14 (a) This chapter applies only to a residential real estate  
15 subdivision or any unit or parcel of a subdivision:

16 (1) all or part of which is located within an  
17 unincorporated area of a county if the county has a population of  
18 less than 65,000;

19 (2) all of which is located within the  
20 extraterritorial jurisdiction of a municipality located in a county  
21 that has a population of at least 65,000 and less than 135,000;

22 (3) all of which is located within the  
23 extraterritorial jurisdiction of a municipality located in a county  
24 that borders Lake Buchanan and has a population of at least 21,000  
25 [~~18,500~~] and less than 22,000 [~~19,500~~]; or

26 (4) all or part of which is located within a county  
27 that borders Lake Livingston and has a population of less than



1 55,000 [~~50,000~~].

2 SECTION 214. Section 6.41(b-2), Tax Code, is amended to  
3 read as follows:

4 (b-2) An appraisal district board of directors for a  
5 district established in a county with a population of 1.2 [~~one~~]  
6 million or more by resolution of a majority of the board's members  
7 shall increase the size of the district's appraisal review board to  
8 the number of members the board of directors considers appropriate  
9 to manage the duties of the appraisal review board, including the  
10 duties of each special panel established under Section 6.425.

11 SECTION 215. Section 11.18(p), Tax Code, is amended to read  
12 as follows:

13 (p) The exemption authorized by Subsection (d)(23) applies  
14 only to property that:

15 (1) is owned by a charitable organization that has  
16 been in existence for at least:

17 (A) 20 years if the property is located in a  
18 county described by Subdivision (4)(A); or

19 (B) two years if the property is located in a  
20 municipality described by Subdivision (4)(B);

21 (2) is located on a tract of land that:

22 (A) is at least 15 acres in size; and

23 (B) was either:

24 (i) owned by the organization on July 1,  
25 2021; or

26 (ii) acquired by donation and owned by the  
27 organization on January 1, 2023;

1           (3) is used to provide permanent housing and related  
2 services to individuals described by that subsection; and

3           (4) is located in:

4           (A) a county with a population of more than 1.2  
5 [~~one~~] million and less than 1.5 million; or

6           (B) a municipality with a population of more than  
7 100,000 and less than 150,000 at least part of which is located in a  
8 county with a population of less than 5,500 [~~5,000~~].

9           SECTION 216. Sections 11.1825(s) and (v), Tax Code, are  
10 amended to read as follows:

11           (s) Unless otherwise provided by the governing body of a  
12 taxing unit any part of which is located in a county with a  
13 population of at least 2.1 [~~1.8~~] million under Subsection (x), for  
14 property described by Subsection (f)(1), the amount of the  
15 exemption under this section from taxation is 50 percent of the  
16 appraised value of the property.

17           (v) Notwithstanding any other provision of this section, an  
18 organization may not receive an exemption from taxation of property  
19 described by Subsection (f)(1) by a taxing unit any part of which is  
20 located in a county with a population of at least 2.1 [~~1.8~~] million  
21 unless the exemption is approved by the governing body of the taxing  
22 unit in the manner provided by law for official action.

23           SECTION 217. Section 11.315(b), Tax Code, is amended to  
24 read as follows:

25           (b) A person is entitled to an exemption from taxation by a  
26 taxing unit of an energy storage system owned by the person if:

27           (1) the exemption is adopted by the governing body of

1 the taxing unit in the manner provided by law for official action by  
2 the governing body; and

3 (2) the energy storage system:

4 (A) is used, constructed, acquired, or installed  
5 wholly or partly to meet or exceed 40 C.F.R. Section 50.11 or any  
6 other rules or regulations adopted by any environmental protection  
7 agency of the United States, this state, or a political subdivision  
8 of this state for the prevention, monitoring, control, or reduction  
9 of air pollution;

10 (B) is located in:

11 (i) an area designated as a nonattainment  
12 area within the meaning of Section 107(d) of the federal Clean Air  
13 Act (42 U.S.C. Section 7407); and

14 (ii) a municipality with a population of at  
15 least 150,000 [~~100,000~~] adjacent to a municipality with a  
16 population of more than two million;

17 (C) has a capacity of at least 10 megawatts; and

18 (D) is installed on or after January 1, 2014.

19 SECTION 218. Section 31.03(d), Tax Code, is amended to read  
20 as follows:

21 (d) This subsection applies only to a taxing unit located in  
22 a county having a population of not less than 315,000 [~~285,000~~] and  
23 not more than 351,000 [~~300,000~~] that borders a county having a  
24 population of 3.3 million or more and the Gulf of Mexico. The  
25 governing body of a taxing unit that has its taxes collected by  
26 another taxing unit that has adopted the split-payment option under  
27 Subsection (a) may provide, in the manner required by law for

1 official action by the body, that the split-payment option does not  
2 apply to the taxing unit's taxes collected by the other taxing unit.

3 SECTION 219. Sections 31.11(a) and (i), Tax Code, are  
4 amended to read as follows:

5 (a) If a taxpayer applies to the tax collector of a taxing  
6 unit for a refund of an overpayment or erroneous payment of taxes,  
7 the collector for the unit determines that the payment was  
8 erroneous or excessive, and the auditor for the unit agrees with the  
9 collector's determination, the collector shall refund the amount of  
10 the excessive or erroneous payment from available current tax  
11 collections or from funds appropriated by the unit for making  
12 refunds. However, the collector may not make the refund unless:

13 (1) in the case of a collector who collects taxes for  
14 one taxing unit, the governing body of the taxing unit also  
15 determines that the payment was erroneous or excessive and approves  
16 the refund if the amount of the refund exceeds:

17 (A) \$5,000 for a refund to be paid by a county  
18 with a population of 2.5 [~~two~~] million or more; or

19 (B) \$500 for a refund to be paid by any other  
20 taxing unit; or

21 (2) in the case of a collector who collects taxes for  
22 more than one taxing unit, the governing body of the taxing unit  
23 that employs the collector also determines that the payment was  
24 erroneous or excessive and approves the refund if the amount of the  
25 refund exceeds:

26 (A) \$5,000 for a refund to be paid by a county  
27 with a population of 2.5 [~~two~~] million or more; or

1 (B) \$2,500 for a refund to be paid by any other  
2 taxing unit.

3 (i) Notwithstanding the other provisions of this section,  
4 in the case of an overpayment or erroneous payment of taxes  
5 submitted by a taxpayer to a collector who collects taxes for one or  
6 more taxing units one of which is a county with a population of 2.5  
7 [~~two~~] million or more:

8 (1) a taxpayer is not required to apply to the  
9 collector for the refund to be entitled to receive the refund if the  
10 amount of the refund is at least \$5 but does not exceed \$5,000; and

11 (2) the collector is not required to comply with  
12 Subsection (g) unless the amount of the payment exceeds by more than  
13 \$5,000 the amount of taxes owed for a tax year to a taxing unit for  
14 which the collector collects taxes.

15 SECTION 220. Section [156.2512\(c\)\(1\)](#), Tax Code, is amended  
16 to read as follows:

17 (1) "Eligible barrier island coastal municipality"  
18 means a municipality:

19 (A) that borders on the Gulf of Mexico;

20 (B) that is located wholly or partly on a barrier  
21 island; and

22 (C) that:

23 (i) includes an institution of higher  
24 education that is part of the Texas Coastal Ocean Observation  
25 Network under Section [33.065](#), Natural Resources Code;

26 (ii) includes a national estuarine research  
27 reserve;

1 (iii) is located within 30 miles of the  
2 United Mexican States; or

3 (iv) has a population of less than 10,000  
4 and is located in a county with a population of at least 370,000  
5 [~~300,000~~] that is adjacent to a county with a population of at least  
6 3,000,000.

7 SECTION 221. Section 311.0091(a), Tax Code, is amended to  
8 read as follows:

9 (a) This section applies to a reinvestment zone designated  
10 by a municipality which is wholly or partially located in a county  
11 with a population of less than 2.1 [~~1.8~~] million in which the  
12 principal municipality has a population of 1.1 million or more.

13 SECTION 222. Section 311.013(m), Tax Code, is amended to  
14 read as follows:

15 (m) The governing body of a municipality that is located in  
16 a county with a population of more than 2.1 [~~1.8~~] million but less  
17 than 2.5 [~~1.9~~] million or in a county with a population of 3.3  
18 million or more by ordinance may reduce the portion of the tax  
19 increment produced by the municipality that the municipality is  
20 required to pay into the tax increment fund for the zone. The  
21 municipality may not reduce under this subsection the portion of  
22 the tax increment produced by the municipality that the  
23 municipality is required to pay into the tax increment fund for the  
24 zone unless the municipality provides each county that has entered  
25 into an agreement with the municipality to pay all or a portion of  
26 the county's tax increment into the fund an opportunity to enter  
27 into an agreement with the municipality to reduce the portion of the

1 tax increment produced by the county that the county is required to  
2 pay into the tax increment fund for the zone by the same proportion  
3 that the portion of the municipality's tax increment that the  
4 municipality is required to pay into the fund is reduced. The  
5 portion of the tax increment produced by a municipality that the  
6 municipality is required to pay into the tax increment fund for a  
7 reinvestment zone, as reduced by the ordinance adopted under this  
8 subsection, together with all other revenues required to be paid  
9 into the fund, must be sufficient to complete and pay for the  
10 estimated costs of projects listed in the reinvestment zone  
11 financing plan and pay any tax increment bonds or notes issued for  
12 the zone, and any other obligations of the zone.

13 SECTION 223. Section 311.017(a-1), Tax Code, as added by  
14 Chapter 137 (S.B. 1105), Acts of the 81st Legislature, Regular  
15 Session, 2009, is amended to read as follows:

16 (a-1) This subsection applies only to a reinvestment zone  
17 created by a municipality that has a population of more than 256,000  
18 [~~220,000~~] but less than 280,000 [~~235,000~~] and is the county seat of  
19 a county that has a population of 325,000 [~~280,000~~] or less.  
20 Notwithstanding Subsection (a)(1), a municipality by ordinance  
21 adopted subsequent to the ordinance adopted by the municipality  
22 creating a reinvestment zone may designate a termination date for  
23 the zone that is later than the termination date designated in the  
24 ordinance creating the zone but not later than the 20th anniversary  
25 of that date. If a municipality adopts an ordinance extending the  
26 termination date for a reinvestment zone as authorized by this  
27 subsection, the zone terminates on the earlier of:

1           (1) the termination date designated in the ordinance;

2 or

3           (2) the date provided by Subsection (a)(2).

4           SECTION 224. Section 325.021(a), Tax Code, is amended to  
5 read as follows:

6           (a) A county having a population of 60,000 [~~55,000~~] or less  
7 that borders the Rio Grande containing a municipality with a  
8 population of more than 22,000 may adopt or abolish the sales and  
9 use tax authorized by this chapter at an election held in the  
10 county.

11          SECTION 225. Section 327.007(a), Tax Code, is amended to  
12 read as follows:

13          (a) Unless imposition of the sales and use tax authorized by  
14 this chapter is reauthorized as provided by this section, the tax  
15 expires on:

16           (1) the fourth anniversary of the date the tax  
17 originally took effect under Section 327.005;

18           (2) the first day of the first calendar quarter  
19 occurring after the fourth anniversary of the date the tax was last  
20 reauthorized under this section if, at that election, the voters  
21 approved the imposition of the tax for a period that expires on that  
22 anniversary;

23           (2-a) if the tax is imposed in a municipality that is  
24 intersected by two interstate highways, that has a population of  
25 150,000 or more, and in which at least 66 percent of the voters  
26 voting in each of the last two consecutive elections concerning the  
27 adoption or reauthorization of the tax favored adoption or



1 reauthorization, and that tax has not expired as provided by  
2 Subdivision (1) or (2) since the first of those two consecutive  
3 elections, the last day of the first calendar quarter occurring  
4 after the eighth anniversary of the date the tax was last  
5 reauthorized under this section if, at that election, the voters  
6 approved the imposition of the tax for a period that expires on that  
7 anniversary instead of the period described by Subdivision (2); or  
8 (3) if the tax is imposed in a [~~general-law~~]  
9 municipality with a population of more than 11,450 and less than  
10 11,550 [~~10,000 or more surrounded entirely by a municipality with a~~  
11 ~~population of 1.3 million or more~~], the last day of the first  
12 calendar quarter occurring after the 10th anniversary of the date  
13 the tax was last reauthorized under this section if, at that  
14 election, the voters approved the imposition of the tax for a period  
15 that expires on that anniversary instead of the period described by  
16 Subdivision (2).

17 SECTION 226. Section 351.001(7), Tax Code, is amended to  
18 read as follows:

19 (7) "Eligible central municipality" means:

20 (A) a municipality with a population of more than  
21 140,000 but less than 1.5 million that is located in a county with a  
22 population of one million or more and that has adopted a capital  
23 improvement plan for the construction or expansion of a convention  
24 center facility;

25 (B) a municipality with a population of 250,000  
26 or more that:

27 (i) is located wholly or partly on a barrier

1 island that borders the Gulf of Mexico;

2 (ii) is located in a county with a  
3 population of 300,000 or more; and

4 (iii) has adopted a capital improvement  
5 plan to expand an existing convention center facility;

6 (C) a municipality with a population of 200,000  
7 [~~116,000~~] or more that:

8 (i) is located in two counties both of which  
9 have a population of 900,000 [~~660,000~~] or more; and

10 (ii) has adopted a capital improvement plan  
11 for the construction or expansion of a convention center facility;

12 (D) a municipality with a population of less than  
13 50,000 that contains a general academic teaching institution that  
14 is not a component institution of a university system, as those  
15 terms are defined by Section 61.003, Education Code; or

16 (E) a municipality with a population of 640,000  
17 or more that:

18 (i) is located on an international border;  
19 and

20 (ii) has adopted a capital improvement plan  
21 for the construction or expansion of a convention center facility.

22 SECTION 227. Sections 351.101(a), (i), (j), (o), and (p),  
23 Tax Code, are amended to read as follows:

24 (a) Revenue from the municipal hotel occupancy tax may be  
25 used only to promote tourism and the convention and hotel industry,  
26 and that use is limited to the following:

27 (1) the acquisition of sites for and the construction,

1 improvement, enlarging, equipping, repairing, operation, and  
2 maintenance of convention center facilities or visitor information  
3 centers, or both;

4 (2) the furnishing of facilities, personnel, and  
5 materials for the registration of convention delegates or  
6 registrants;

7 (3) advertising and conducting solicitations and  
8 promotional programs to attract tourists and convention delegates  
9 or registrants to the municipality or its vicinity;

10 (4) the encouragement, promotion, improvement, and  
11 application of the arts, including instrumental and vocal music,  
12 dance, drama, folk art, creative writing, architecture, design and  
13 allied fields, painting, sculpture, photography, graphic and craft  
14 arts, motion pictures, radio, television, tape and sound recording,  
15 and other arts related to the presentation, performance, execution,  
16 and exhibition of these major art forms;

17 (5) historical restoration and preservation projects  
18 or activities or advertising and conducting solicitations and  
19 promotional programs to encourage tourists and convention  
20 delegates to visit preserved historic sites or museums:

21 (A) at or in the immediate vicinity of convention  
22 center facilities or visitor information centers; or

23 (B) located elsewhere in the municipality or its  
24 vicinity that would be frequented by tourists and convention  
25 delegates;

26 (6) expenses, including promotion expenses, directly  
27 related to a sporting event in which the majority of participants

1 are tourists who substantially increase economic activity at hotels  
2 and motels within the municipality or its vicinity if:

3 (A) the municipality is located in a county with  
4 a population of one million or less;

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

10 (C) the municipality has a population of at least  
11 200,000 and shares a border with:

12 (i) a municipality with a population of at  
13 least 62,000 that:

14 (a) borders Lake Ray Hubbard; and

15 (b) is located in two counties, one of  
16 which has a population of less than 110,000 [~~described by Section~~  
17 ~~351.102(c)(7)~~]; and

18 (ii) Lake Ray Hubbard;

19 (7) subject to Section 351.1076, the promotion of  
20 tourism by the enhancement and upgrading of existing sports  
21 facilities or fields if:

22 (A) the municipality owns the facilities or  
23 fields;

24 (B) the municipality:

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

27 (ii) has a population of at least 80,000

1 ~~[75,000]~~ but not more than 125,000 ~~[95,000]~~ and is located in a  
2 county that has a population of less than 240,000 ~~[200,000]~~ but more  
3 than 233,500 ~~[160,000]~~;

4 (iii) has:

5 (a) a population of at least 10,000  
6 ~~[36,000 but not more than 39,000]~~ and is located in a county that  
7 has a population of more than 70,000 and borders Lake Livingston; or

8 (b) ~~[has]~~ a population of 36,000  
9 ~~[100,000]~~ or more and ~~[less than]~~ is located in a county with a  
10 population of less than 95,000 that borders Oklahoma ~~[not adjacent~~  
11 ~~to a county with a population of more than two million]~~;

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

15 (v) has a population of at least 70,000 but  
16 less than 90,000 and no part of which is located in a county with a  
17 population greater than 150,000;

18 (vi) is located in a county that:

19 (a) is adjacent to the Texas-Mexico  
20 border;

21 (b) has a population of at least  
22 500,000; and

23 (c) does not have a municipality with  
24 a population greater than 500,000;

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

1 population of:

2 (a) more than 24,400 and less than  
3 25,000; or

4 (b) more than 28,150 and less than  
5 31,000;

6 (viii) is located in a county that has a  
7 population of not more than 300,000 and in which a component  
8 university of the University of Houston System is located;

9 (ix) has a population of at least 40,000 and  
10 the San Marcos River flows through the municipality;

11 (x) has a population of more than 67,000 and  
12 is located in two counties with 90 percent of the municipality's  
13 territory located in a county with a population of at least 800,000  
14 [~~580,000~~], and the remaining territory located in a county with a  
15 population of at least four million;

16 (xi) contains an intersection of  
17 Interstates 35E and 35W and at least two public universities; or

18 (xii) is described by Subdivision (6)(C);  
19 and

20 (C) the sports facilities and fields have been  
21 used, in the preceding calendar year, a combined total of more than  
22 10 times for district, state, regional, or national sports  
23 tournaments;

24 (8) for a municipality with a population of at least  
25 70,000 but less than 90,000, no part of which is located in a county  
26 with a population greater than 150,000, the construction,  
27 improvement, enlarging, equipping, repairing, operation, and

1 maintenance of a coliseum or multiuse facility;

2 (9) signage directing the public to sights and  
3 attractions that are visited frequently by hotel guests in the  
4 municipality;

5 (10) the construction, improvement, enlarging,  
6 equipping, repairing, operation, and maintenance of a coliseum or  
7 multiuse facility, if the municipality:

8 (A) has a population of at least 90,000 but less  
9 than 120,000; and

10 (B) is located in two counties, at least one of  
11 which contains the headwaters of the San Gabriel River; and

12 (11) for a municipality with a population of more than  
13 175,000 but less than 225,000 that is located in two counties, each  
14 of which has a population of less than 200,000, the construction,  
15 improvement, enlarging, equipping, repairing, operation, and  
16 maintenance of a coliseum or multiuse facility and related  
17 infrastructure or a venue, as defined by Section 334.001(4), Local  
18 Government Code, that is related to the promotion of tourism.

19 (i) In addition to the purposes provided by Subsection (a),  
20 a municipality that has a population of at least 80,000 [~~75,000~~] but  
21 not more than 125,000 [~~95,000~~] and that is located in a county that  
22 has a population of more than 233,500 [~~160,000~~] but less than  
23 240,000 [~~200,000~~] may use revenue from the municipal hotel tax to  
24 promote tourism and the convention and hotel industry by  
25 constructing, operating, or expanding a sporting related facility  
26 or sports field owned by the municipality, if the majority of the  
27 events at the facility or field are directly related to a sporting

1 event in which the majority of participants are tourists who  
2 substantially increase economic activity at hotels in the  
3 municipality.

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

13 (o) In addition to the purposes provided by Subsection (a),  
14 a municipality that has a population of not more than 15,200  
15 [~~10,000~~], that contains an outdoor gear and sporting goods retailer  
16 with retail space larger than 175,000 square feet, and that hosts an  
17 annual wiener dog race may use revenue from the municipal hotel  
18 occupancy tax to promote tourism and the convention and hotel  
19 industry by constructing, operating, or expanding a sporting  
20 related facility or sports field owned by the municipality, if the  
21 majority of the events at the facility or field are directly related  
22 to a sporting event in which the majority of participants are  
23 tourists who substantially increase economic activity at hotels in  
24 the municipality. If a municipality to which this subsection  
25 applies uses revenue derived from the municipal hotel occupancy tax  
26 for a purpose described by this subsection, the municipality may  
27 not reduce the percentage of revenue from that tax allocated for a



1 purpose described by Subsection (a)(3) to a percentage that is less  
2 than the average percentage of that revenue allocated by the  
3 municipality for that purpose during the 36-month period preceding  
4 the date the municipality begins using the revenue for a purpose  
5 described by this subsection.

6 (p) In addition to the purposes provided by Subsection (a),  
7 a municipality with a population of more than 70,000 [~~48,000~~] but  
8 less than 115,000 [~~95,000~~] that is located in two counties, one of  
9 which has a population of at least 1.1 million [~~900,000~~] but less  
10 than 1.9 [~~1.7~~] million, may use revenue from the municipal hotel  
11 occupancy tax to promote tourism and the convention and hotel  
12 industry by constructing, improving, equipping, repairing,  
13 maintaining, operating, or expanding a coliseum or multiuse  
14 facility if the majority of the events at the coliseum or facility  
15 attract tourists who substantially increase economic activity at  
16 hotels in the municipality.

17 SECTION 228. Section 351.1015(b), Tax Code, is amended to  
18 read as follows:

19 (b) This section applies only to a qualified project located  
20 in a municipality with a population of at least 700,000 [~~650,000~~]  
21 but less than 950,000 [~~750,000~~] according to the most recent  
22 federal decennial census.

23 SECTION 229. Section 351.102(e), Tax Code, is amended to  
24 read as follows:

25 (e) Subsection (b) applies only to:

26 (1) a municipality with a population of two million or  
27 more;

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

3           (3) a municipality with a population of 350,000 or  
4 more but less than 450,000 in which at least two professional sports  
5 stadiums are located, each of which:

6                   (A) has a seating capacity of at least 40,000  
7 people; and

8                   (B) was approved by the voters of the  
9 municipality as a sports and community venue project under Chapter  
10 334, Local Government Code; and

11           (4) a municipality with a population of less than  
12 2,000 that:

13                   (A) is located adjacent to a bay connected to the  
14 Gulf of Mexico;

15                   (B) is located in a county with a population of  
16 290,000 or more that is adjacent to a county with a population of  
17 four million or more; and

18                   (C) has a boardwalk on the bay.

19           SECTION 230. Section 351.1066(a), Tax Code, is amended to  
20 read as follows:

21           (a) This section applies only to:

22                   (1) a municipality with a population of at least 3,500  
23 but less than 5,500 that is the county seat of a county with a  
24 population of less than 50,000 that borders a county with a  
25 population of more than 1.6 million;

26                   (2) a municipality with a population of at least 2,800  
27 [~~2,900~~] but less than 3,500 that is the county seat of a county with

1 a population of less than 22,000 that is bordered by the Trinity  
2 River and includes a state park and a portion of a wildlife  
3 management area;

4 (3) a municipality with a population of at least 8,000  
5 [~~7,500~~] that is located in a county that borders the Pecos River and  
6 that has a population of not more than 15,000;

7 (4) a municipality with a population of not more than  
8 15,000 that is located in a county through which the Frio River  
9 flows and an interstate highway crosses, and that has a population  
10 of at least 15,000;

11 (5) a municipality with a population of not less than  
12 7,500 that is located in a county with a population of not less than  
13 40,000 but less than 250,000 that is adjacent to a county with a  
14 population of less than 750;

15 (6) a municipality that is the county seat of a county  
16 with a population of at least 8,500 and that county contains part of  
17 the Chaparral Wildlife Management Area; and

18 (7) a municipality that has a population of not more  
19 than 25,000, that contains a cultural heritage museum, and that is  
20 located in a county that borders the United Mexican States and the  
21 Gulf of Mexico.

22 SECTION 231. Section [351.10692](#)(a), Tax Code, is amended to  
23 read as follows:

24 (a) This section applies only to a municipality with a  
25 population of less than 5,000 [~~2,000~~] located in a county that:

26 (1) is adjacent to the county in which the State  
27 Capitol is located; and

- 1           (2) has a population of:  
2                 (A) not more than 25,000; or  
3                 (B) at least 200,000 [~~100,000~~] but not more than  
4 300,000 [~~200,000~~].

5           SECTION 232. Section 351.1071(a), Tax Code, is amended to  
6 read as follows:

- 7           (a) This section applies only to a municipality:  
8                 (1) that has a population of not more than 5,500  
9 [~~5,000~~]; and  
10                (2) at least part of which is located less than  
11 one-eighth of one mile from a space center operated by an agency of  
12 the federal government.

13           SECTION 233. Section 351.10712(a), Tax Code, is amended to  
14 read as follows:

- 15           (a) This section applies only to:  
16                 (1) a municipality with a population of at least  
17 95,000 that is located in a county that is bisected by United States  
18 Highway 385 and has a population of not more than 170,000 [~~140,000~~];  
19 and  
20                 (2) a municipality located in a county that has a  
21 population of not more than 300,000 and in which a component  
22 university of the University of Houston System is located.

23           SECTION 234. Section 351.152, Tax Code, is amended to read  
24 as follows:

25           Sec. 351.152. APPLICABILITY. This subchapter applies only  
26 to:

- 27                 (1) a municipality described by Section

1 351.001(7)(B);  
2 (2) a municipality described by Section  
3 351.001(7)(D);  
4 (3) a municipality described by Section  
5 351.001(7)(E);  
6 (4) a municipality described by Section  
7 351.102(e)(3);  
8 (5) a municipality that contains more than 70 [~~75~~]  
9 percent of the population of a county with a population of 1.5  
10 million or more;  
11 (6) a municipality with a population of 175,000  
12 [~~150,000~~] or more but less than 200,000 that is partially located in  
13 at least one county with a population of 125,000 or more;  
14 (7) a municipality with a population of 250,000  
15 [~~150,000~~] or more but less than one million that is located in one  
16 county with a population of 2.5 [~~2.3~~] million or more;  
17 (8) a municipality with a population of 180,000 or  
18 more that:  
19 (A) is located in two counties, each with a  
20 population of 100,000 or more; and  
21 (B) contains an American Quarter Horse Hall of  
22 Fame and Museum;  
23 (9) a municipality with a population of 96,000 or more  
24 that is located in a county that borders Lake Palestine;  
25 (10) a municipality with a population of 96,000 or  
26 more that is located in a county that contains the headwaters of the  
27 San Gabriel River;

1           (11) a municipality with a population of at least  
2 95,000 [~~99,900 or more but less than 111,000~~] that is located in a  
3 county that is bisected by United States Highway 385 and has [~~with~~]  
4 a population of not more than 170,000 [~~135,000 or more~~];

5           (12) a municipality with a population of 110,000 or  
6 more but less than 135,000 at least part of which is located in a  
7 county with a population of less than 135,000;

8           (13) a municipality with a population of 28,000  
9 [~~9,000~~] or more but less than 31,000 [~~10,000~~] that is located in two  
10 counties, each of which has a population of 900,000 [~~662,000~~] or  
11 more and a southern border with a county with a population of 2.5  
12 [~~2.3~~] million or more;

13           (14) a municipality with a population of 200,000 or  
14 more but less than 300,000 that contains a component institution of  
15 the Texas Tech University System;

16           (15) a municipality with a population of 95,000 or  
17 more that:

18                   (A) is located in more than one county; and

19                   (B) borders Lake Lewisville;

20           (16) a municipality with a population of 45,000 or  
21 more that:

22                   (A) contains a portion of Cedar Hill State Park;

23                   (B) is located in two counties, one of which has a  
24 population of 2.5 [~~two~~] million or more and one of which has a  
25 population of 190,000 [~~149,000~~] or more; and

26                   (C) has adopted a capital improvement plan for  
27 the construction or expansion of a convention center facility;

1 (17) a municipality with a population of less than  
2 10,000 [~~6,000~~] that:

3 (A) is almost wholly located in a county with a  
4 population of 900,000 [~~600,000~~] or more that is adjacent to a county  
5 with a population of 2.5 [~~two~~] million or more;

6 (B) is partially located in a county with a  
7 population of 2.1 [~~1.8~~] million or more that is adjacent to a county  
8 with a population of 2.5 [~~two~~] million or more;

9 (C) has a visitor center and museum located in a  
10 19th-century rock building in the municipality's downtown; and

11 (D) has a waterpark open to the public;

12 (18) a municipality with a population of 60,000  
13 [~~56,000~~] or more that:

14 (A) borders Lake Ray Hubbard; and

15 (B) is located in two counties, one of which has a  
16 population of less than 110,000 [~~80,000~~];

17 (19) a municipality with a population of 110,000  
18 [~~83,000~~] or more that:

19 (A) borders Clear Lake; and

20 (B) is primarily located in a county with a  
21 population of less than 355,000 [~~300,000~~];

22 (20) a municipality with a population of less than  
23 2,000 that:

24 (A) is located adjacent to a bay connected to the  
25 Gulf of Mexico;

26 (B) is located in a county with a population of  
27 290,000 or more that is adjacent to a county with a population of

1 four million or more; and

2 (C) has a boardwalk on the bay;

3 (21) a municipality with a population of 75,000 or  
4 more that:

5 (A) is located wholly in one county with a  
6 population of 800,000 [~~575,000~~] or more that is adjacent to a county  
7 with a population of four million or more; and

8 (B) has adopted a capital improvement plan for  
9 the construction or expansion of a convention center facility;

10 (22) a municipality with a population of less than  
11 70,000 [~~75,000~~] that is located in three counties, at least one of  
12 which has a population of four million or more;

13 (23) an eligible coastal municipality with a  
14 population of 2,900 [~~3,000~~] or more but less than 5,000;

15 (24) a municipality with a population of 90,000 or  
16 more but less than 150,000 that:

17 (A) is located in three counties; and

18 (B) contains a branch campus of a component  
19 institution of the University of Houston System;

20 (25) a municipality that is:

21 (A) primarily located in a county with a  
22 population of four million or more; and

23 (B) connected by a bridge to a municipality  
24 described by Subdivision (20);

25 (26) a municipality with a population of 25,000  
26 [~~20,000~~] or more but less than 30,000 [~~25,000~~] that:

27 (A) contains a portion of Mustang Bayou; and



1 (B) is wholly located in a county with a  
2 population of less than 500,000;

3 (27) a municipality with a population of 70,000 or  
4 more but less than 90,000 that is located in two counties, one of  
5 which has a population of four million or more and the other of  
6 which has a population of less than 50,000;

7 (28) a municipality with a population of 10,000 or  
8 more that:

9 (A) is wholly located in a county with a  
10 population of four million or more; and

11 (B) has a city hall located less than three miles  
12 from a space center operated by an agency of the federal government;

13 (29) a municipality that is the county seat of a  
14 county:

15 (A) through which the Pedernales River flows; and

16 (B) in which the birthplace of a president of the  
17 United States is located;

18 (30) a municipality that contains a portion of U.S.  
19 Highway 79 and State Highway 130;

20 (31) a municipality with a population of 70,000  
21 [~~48,000~~] or more but less than 115,000 [~~95,000~~] that is located in  
22 two counties, one of which has a population of 1.1 million [~~900,000~~]  
23 or more but less than 1.9 [~~1.7~~] million;

24 (32) a municipality with a population of less than  
25 25,000 that contains a museum of Western American art;

26 (33) a municipality with a population of 50,000 or  
27 more that is the county seat of a county that contains a portion of

1 the Sam Houston National Forest;

2 (34) a municipality with a population of less than  
3 25,000 that:

4 (A) contains a cultural heritage museum; and

5 (B) is located in a county that borders the  
6 United Mexican States and the Gulf of Mexico;

7 (35) a municipality that is the county seat of a county  
8 that:

9 (A) has a population of 115,000 or more;

10 (B) is adjacent to a county with a population of  
11 2.1 [~~1.8~~] million or more; and

12 (C) hosts an annual peach festival;

13 (36) a municipality that is the county seat of a county  
14 that:

15 (A) has a population of 800,000 [~~585,000~~] or  
16 more; and

17 (B) is adjacent to a county with a population of  
18 four million or more;

19 (37) a municipality with a population of less than  
20 10,000 that:

21 (A) contains a component university of The Texas  
22 A&M University System; and

23 (B) is located in a county adjacent to a county  
24 that borders Oklahoma;

25 (38) a municipality with a population of less than  
26 17,000 [~~6,100~~] that:

27 (A) is located in two counties, each of which has

1 a population of 900,000 [~~600,000~~] or more but less than two million;  
2 and

3 (B) hosts an annual Cajun Festival;

4 (39) a municipality with a population of 13,000 or  
5 more that:

6 (A) is located on an international border; and

7 (B) is located in a county:

8 (i) with a population of less than 400,000;

9 and

10 (ii) in which at least one World Birding  
11 Center site is located;

12 (40) a municipality with a population of 3,200 [~~4,000~~]  
13 or more that:

14 (A) is located on an international border; and

15 (B) is located not more than five miles from a  
16 state historic site that serves as a visitor center for a state park  
17 that contains 300,000 or more acres of land;

18 (41) a municipality with a population of 36,000 or  
19 more that is adjacent to at least two municipalities described by  
20 Subdivision (15);

21 (42) a municipality with a population of 28,000 or  
22 more in which is located a historic railroad depot and heritage  
23 center;

24 (43) a municipality located in a county that has a  
25 population of not more than 300,000 and in which a component  
26 university of the University of Houston System is located;

27 (44) a municipality with a population of less than

1 500,000 that is:

2 (A) located in two counties; and

3 (B) adjacent to a municipality described by  
4 Subdivision (31); and

5 (45) a municipality that:

6 (A) has a population of more than 67,000; and

7 (B) is located in two counties with 90 percent of  
8 the municipality's territory located in a county with a population  
9 of at least 800,000 [~~580,000~~], and the remaining territory located  
10 in a county with a population of at least four million.

11 SECTION 235. Sections [352.002](#)(a), (a-1), (d), (p), and (y),  
12 Tax Code, are amended to read as follows:

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

19 (1) a county that has a population of more than 3.3  
20 million;

21 (2) a county that has a population of 90,000 or more,  
22 borders the United Mexican States, does not border the Gulf of  
23 Mexico, and does not have four or more cities that each have a  
24 population of more than 25,000;

25 (3) a county in which there is no municipality;

26 (4) a county in which there is located an Indian  
27 reservation under the jurisdiction of the United States government;

1           (5) a county that has a population of 30,000 or less,  
2 that has no more than one municipality with a population of less  
3 than 2,500, and that borders two counties located wholly in the  
4 Edwards Aquifer Authority established by Chapter 626, Acts of the  
5 73rd Legislature, Regular Session, 1993;

6           (6) a county that borders the Gulf of Mexico;

7           (7) a county that has a population of less than 5,000,  
8 that borders the United Mexican States, and in which there is  
9 located a major observatory;

10          (8) a county that has a population of 12,000 or less  
11 and borders the Toledo Bend Reservoir;

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

15          (10) a county that has a population of 30,000 or less  
16 and borders Possum Kingdom Lake;

17          (11) a county that borders a county with a population  
18 of more than 300,000 and the United Mexican States and has a  
19 population of more than 300,000 and less than 900,000 [~~800,000~~];

20          (12) a county that has a population of 35,000 or more  
21 and borders or contains a portion of Lake Fork Reservoir;

22          (13) a county that borders the United Mexican States  
23 and in which there is located a national recreation area;

24          (14) a county that borders the United Mexican States  
25 and in which there is located a national park of more than 400,000  
26 acres;

27          (15) a county that has a population of 28,000 or less,

1 that has no more than four municipalities, and that is located  
2 wholly in the Edwards Aquifer Authority established by Chapter 626,  
3 Acts of the 73rd Legislature, Regular Session, 1993;

4 (16) a county that has a population of 25,000 or less,  
5 whose territory is less than 750 square miles, and that has two  
6 incorporated municipalities, each with a population of 800 or less,  
7 at least one of which is located on the Frio River;

8 (17) a county that has a population of 34,000 or more  
9 and borders Lake Buchanan;

10 (18) a county that has a population of more than 45,000  
11 and less than 75,000, that borders the United Mexican States, and  
12 that borders or contains a portion of Falcon Lake;

13 (19) a county with a population of 22,000 or less that  
14 borders the Neches River and in which there is located a national  
15 preserve;

16 (20) a county that has a population of 28,000 or less  
17 and that borders or contains a portion of Lake Livingston;

18 (21) a county through which the Pedernales River flows  
19 and in which the birthplace of a president of the United States is  
20 located;

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

23 (23) a county with a population of less than 11,000  
24 that is bordered by the Sulphur River;

25 (24) a county that has a population of 16,000 or more  
26 and borders the entire north shore of Lake Somerville;

27 (25) a county that has a population of 20,000 or less

1 and that is bordered by the Brazos and Navasota Rivers;

2 (26) a county that has a population of more than 15,000  
3 and less than 25,000 and is located on the Trinity and Navasota  
4 Rivers;

5 (27) a county that has a population of less than 15,000  
6 and that is bordered by the Trinity and Navasota Rivers;

7 (28) a county that borders or contains a portion of the  
8 Neches River, the Sabine River, and Sabine Lake; and

9 (29) a county that borders Whitney Lake.

10 (a-1) In addition to the counties described by Subsection  
11 (a), the commissioners court of a county in which an airport  
12 essential to the economy of the county is located may by the  
13 adoption of an order or resolution impose a tax on a person who,  
14 under a lease, concession, permit, right of access, license,  
15 contract, or agreement, pays for the use or possession or for the  
16 right to the use or possession of a room that is in a hotel, costs \$2  
17 or more each day, and is ordinarily used for sleeping. For the  
18 purposes of this subsection, an airport is considered to be  
19 essential to the economy of a county only if the airport is a  
20 commercial-service international airport within Class C airspace  
21 and is located in a county and owned by a municipality each having a  
22 population of less than 170,000 [~~150,000~~]. This subsection does  
23 not apply to a county described by Subsection (a)(13).

24 (d) The tax imposed by a county authorized by Subsection  
25 (a)(6), (8), (9), (10), (11), (14), (15), (17), (19), (20), (21),  
26 (23), or (29) to impose the tax does not apply to a hotel located in  
27 a municipality that imposes a tax under Chapter 351 applicable to

1 the hotel. This subsection does not apply to:

2 (1) a county authorized by Subsection (a)(6) to impose  
3 the tax that:

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

6 (B) has a population of more than 200,000 and  
7 borders the Neches River; or

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

10 (p) The commissioners court of a county that has a  
11 population of 100,000 [~~80,000~~] or less, in which two state parks are  
12 located, and through which the Colorado River flows but that is not  
13 bordered by that river may impose a tax as authorized by Subsection  
14 (a).

15 (y) The commissioners court of a county with a population of  
16 170,000 [~~110,000~~] or more through which the Guadalupe River flows  
17 may impose a tax as provided by Subsection (a). The tax imposed  
18 under this subsection does not apply to a hotel located in a  
19 municipality that:

20 (1) has a population of 80,000 [~~50,000~~] or more;

21 (2) is the county seat of a county adjacent to the  
22 county to which this subsection applies; and

23 (3) imposes a tax under Chapter [351](#) applicable to the  
24 hotel.

25 SECTION 236. Section [352.003](#)(e), Tax Code, is amended to  
26 read as follows:

27 (e) The tax rate in a county authorized to impose the tax



1 under Section 352.002(a)(6) and that has a population of less than  
2 50,000 [~~40,000~~] and adjoins the most populous county in this state  
3 may not exceed three percent of the price paid for a room in a hotel.

4 SECTION 237. Section 22.053(a), Transportation Code, is  
5 amended to read as follows:

6 (a) The commissioners court of a county with a population of  
7 12,200 [~~14,300~~] to 12,400 [~~14,500~~] may issue time warrants to:

8 (1) condemn or purchase land to be used and maintained  
9 as provided by Sections 22.011, 22.020, and 22.024; and

10 (2) improve and equip the land for the use provided by  
11 Sections 22.011, 22.020, and 22.024.

12 SECTION 238. Section 172.211(a), Transportation Code, is  
13 amended to read as follows:

14 (a) This section applies only to a county that:

15 (1) is adjacent to a county with a population of four  
16 million or more;

17 (2) has a population of 370,000 [~~300,000~~] or more; and

18 (3) has created a district by concurrent order with an  
19 adjacent county pursuant to Section 172.052.

20 SECTION 239. Section 223.052(a), Transportation Code, is  
21 amended to read as follows:

22 (a) This section applies only to a municipality that:

23 (1) is partially located in three counties, two of  
24 which have a population of 2.1 [~~1.8~~] million or more;

25 (2) is primarily located in a county with a population  
26 of 2.1 [~~1.8~~] million or more; and

27 (3) has within its boundaries all or part of an

1 international airport operated jointly by two municipalities.

2 SECTION 240. Section 284.002(a), Transportation Code, is  
3 amended to read as follows:

4 (a) Except as provided by Subsection (b), this chapter  
5 applies only to a county that:

6 (1) has a population of 50,000 or more and borders the  
7 Gulf of Mexico or a bay or inlet opening into the gulf;

8 (2) has a population of 2.5 [~~two~~] million or more;

9 (3) is adjacent to a county that has a population of  
10 2.5 [~~two~~] million or more; or

11 (4) borders the United Mexican States.

12 SECTION 241. Section 285.001(b), Transportation Code, is  
13 amended to read as follows:

14 (b) The commissioners court of a county with a population of  
15 more than 870,000 [~~700,000 and less than 800,000~~] that borders the  
16 United Mexican States by order may regulate the activities  
17 described by Subsection (a) in the manner described by that  
18 subsection, except that:

19 (1) the regulation of activities on or in the  
20 right-of-way of a public highway or road is limited to public  
21 highways and roads with a speed limit of 40 miles per hour or  
22 faster; and

23 (2) the county may not prohibit the sale of livestock.

24 SECTION 242. Section 362.055, Transportation Code, is  
25 amended to read as follows:

26 Sec. 362.055. EXCEPTION. This subchapter does not apply  
27 to:

- 1           (1) a county that has a population of more than 2.5  
2 ~~[two]~~ million;
- 3           (2) a local government corporation created under  
4 Chapter 431 by a county that has a population of more than 2.5 ~~[two]~~  
5 million; or
- 6           (3) a regional tollway authority created under Chapter  
7 366.

8           SECTION 243. Section 366.031(a), Transportation Code, is  
9 amended to read as follows:

10           (a) Two or more counties, acting through their respective  
11 commissioners courts, may by order passed by each commissioners  
12 court create a regional tollway authority under this chapter if:

- 13           (1) one of the counties has a population of not less  
14 than 300,000;
- 15           (2) the counties form a contiguous territory; and
- 16           (3) unless one of the counties has a population of 2.5  
17 ~~[two]~~ million or more, the commission approves the creation.

18           SECTION 244. Section 370.192, Transportation Code, is  
19 amended to read as follows:

20           Sec. 370.192. PROPERTY OF RAPID TRANSIT AUTHORITIES. An  
21 authority may not condemn or purchase real property of a rapid  
22 transit authority operating pursuant to Chapter 451 that was  
23 confirmed before July 1, 1985, and in which the principal  
24 municipality has a population of less than 1.3 million ~~[850,000]~~,  
25 unless the authority has entered into a written agreement with the  
26 rapid transit authority specifying the terms and conditions under  
27 which the condemnation or the purchase of the real property will

1 take place.

2 SECTION 245. Section 396.041(c), Transportation Code, is  
3 amended to read as follows:

4 (c) An ordinance may:

5 (1) impose a fee of \$25 for the issuance or renewal of  
6 a license;

7 (2) impose a fee of not more than:

8 (A) \$150 for the issuance or renewal of a  
9 license, if the ordinance is adopted by the commissioners court of a  
10 county with a population of 2.1 [~~one~~] million or more that contains  
11 two or more municipalities, each of which has a population of  
12 350,000 [~~250,000~~] or more; or

13 (B) \$500 for the issuance or renewal of a  
14 license, if the ordinance is adopted by the commissioners court of a  
15 county with a population of 3.3 million or more;

16 (3) condition the license on the operation of the  
17 junkyard or automotive wrecking and salvage yard only at a location  
18 approved by the commissioners court or a county employee designated  
19 by the commissioners court; or

20 (4) establish grounds for suspending or revoking a  
21 license if the junkyard or automotive wrecking and salvage yard is  
22 not screened.

23 SECTION 246. Section 451.061(d-1), Transportation Code, is  
24 amended to read as follows:

25 (d-1) The establishment of or a change to fares, tolls,  
26 charges, rents, and other compensation by an authority confirmed  
27 before July 1, 1985, in which the principal municipality has a

1 population of less than 1.3 million [~~850,000~~], takes effect  
2 immediately on approval by a majority vote of the board, except that  
3 the establishment of or a change to a single-ride base fare takes  
4 effect on the 60th day after the date the board approves the fare or  
5 change to the fare, unless the policy board of the metropolitan  
6 planning organization that serves the area of the authority  
7 disapproves the fare or change to the fare by a majority vote.

8 SECTION 247. Section 451.068(a), Transportation Code, is  
9 amended to read as follows:

10 (a) An authority confirmed before July 1, 1985, and in which  
11 the principal municipality has a population of less than 1.3  
12 million [~~850,000~~] may, through the operation of a program, charge  
13 no fares.

14 SECTION 248. Section 451.071(a), Transportation Code, is  
15 amended to read as follows:

16 (a) This section applies only to an authority confirmed  
17 before July 1, 1985, in which the principal municipality has a  
18 population of less than 1.3 million [~~850,000~~].

19 SECTION 249. Section 451.106(a), Transportation Code, is  
20 amended to read as follows:

21 (a) The board of an authority in which the principal  
22 municipality has a population of less than 1.3 million [~~850,000~~] or  
23 more than 1.9 million shall employ a general manager to administer  
24 the daily operation of the authority. The general manager may,  
25 subject to the annual operating budget and to the personnel  
26 policies adopted by the board, employ persons to conduct the  
27 affairs of the authority and prescribe their duties and

1 compensation.

2 SECTION 250. Section 451.108(c), Transportation Code, is  
3 amended to read as follows:

4 (c) A peace officer commissioned under this section, except  
5 as provided by Subsections (d) and (e), or a peace officer  
6 contracted for employment by an authority confirmed before July 1,  
7 1985, in which the principal municipality has a population of less  
8 than 1.3 million [~~850,000~~], may:

9 (1) make an arrest in any county in which the transit  
10 authority system is located as necessary to prevent or abate the  
11 commission of an offense against the law of this state or a  
12 political subdivision of this state if the offense or threatened  
13 offense occurs on or involves the transit authority system;

14 (2) make an arrest for an offense involving injury or  
15 detriment to the transit authority system;

16 (3) enforce traffic laws and investigate traffic  
17 accidents that involve or occur in the transit authority system;  
18 and

19 (4) provide emergency and public safety services to  
20 the transit authority system or users of the transit authority  
21 system.

22 SECTION 251. Section 451.109(d), Transportation Code, is  
23 amended to read as follows:

24 (d) This section does not apply to an authority in which the  
25 principal municipality has a population of 1.3 million [~~850,000~~] or  
26 more but not more than 1.9 million.

27 SECTION 252. Section 451.3625(a), Transportation Code, is

1 amended to read as follows:

2 (a) This section applies only to an authority confirmed  
3 before July 1, 1985, in which the principal municipality has a  
4 population of less than 1.3 million [~~850,000~~].

5 SECTION 253. Section 451.452(d), Transportation Code, is  
6 amended to read as follows:

7 (d) This section applies only to an authority in which the  
8 principal municipality has a population of more than 1.9 million or  
9 less than 1.3 million [~~850,000~~], except that Subsections (a)(5) and  
10 (6) do not apply to an authority in which the principal municipality  
11 has a population of more than 1.9 million.

12 SECTION 254. Section 451.454(a), Transportation Code, is  
13 amended to read as follows:

14 (a) The board of an authority in which the principal  
15 municipality has a population of more than 1.9 million or less than  
16 1.3 million [~~850,000~~] shall contract at least once every four years  
17 for a performance audit of the authority to be conducted by a firm  
18 that has experience in reviewing the performance of transit  
19 agencies.

20 SECTION 255. Section 451.458(a), Transportation Code, is  
21 amended to read as follows:

22 (a) This section applies only to an authority confirmed  
23 before July 1, 1985, in which the principal municipality has a  
24 population of less than 1.3 million [~~850,000~~].

25 SECTION 256. Section 451.460(a), Transportation Code, is  
26 amended to read as follows:

27 (a) This section applies only to an authority confirmed

1 before July 1, 1985, in which the principal municipality has a  
2 population of less than 1.3 million [~~850,000~~].

3 SECTION 257. Section 451.5021(a), Transportation Code, is  
4 amended to read as follows:

5 (a) This section applies only to the board of an authority  
6 created before July 1, 1985, in which the principal municipality  
7 has a population of less than 1.3 million [~~850,000~~].

8 SECTION 258. Section 451.506(c), Transportation Code, is  
9 amended to read as follows:

10 (c) An individual may serve two terms as presiding officer  
11 under Section 451.502(e)(3), in addition to any service on the  
12 board before being appointed under that subsection. This  
13 subsection does not apply to an individual serving on the board of  
14 an authority described by Subsection (b) or an authority confirmed  
15 before July 1, 1985, and in which the principal municipality has a  
16 population of less than 1.3 million [~~850,000~~].

17 SECTION 259. Sections 451.509(a), (c), and (d),  
18 Transportation Code, are amended to read as follows:

19 (a) In an authority in which the principal municipality has  
20 a population of less than 1.3 million [~~850,000~~] and in which the  
21 authority's sales and use tax is imposed at a rate of one percent, a  
22 member of the board may be removed from office for any ground  
23 described by Section 451.510 by a majority vote of the entity that  
24 appointed the member.

25 (c) In an authority in which the principal municipality has  
26 a population of more than 1.3 million [~~850,000~~], a member of the  
27 board may be removed for any ground described by Section 451.510 by



1 the person or entity that appointed the member. If the person who  
2 appointed the member is the mayor of the principal municipality,  
3 the removal is by recommendation of the mayor and confirmation by  
4 the municipality's governing body. If the member to be removed was  
5 appointed by the mayor of the principal municipality, the statement  
6 required by Section 451.511(a) shall be given by the mayor, and  
7 confirmation of removal by the governing body of the municipality  
8 is necessary.

9 (d) In an authority in which the principal municipality has  
10 a population of less than 1.3 million [~~850,000~~] or more than 1.9  
11 million, a general manager who has knowledge that a potential  
12 ground for removal applicable to a member of the authority's board  
13 exists shall notify the presiding officer of the board of the  
14 ground, and the presiding officer shall notify the person that  
15 appointed the member against whom the potential ground applies of  
16 the ground.

17 SECTION 260. Section 451.512(a), Transportation Code, is  
18 amended to read as follows:

19 (a) Except as provided by Subsection (b), in an authority in  
20 which the principal municipality has a population of less than 1.3  
21 million [~~850,000~~] or more than 1.9 million, an action of the board  
22 is not invalid because a ground for removal of a board member  
23 exists.

24 SECTION 261. Section 451.513(a), Transportation Code, is  
25 amended to read as follows:

26 (a) A board member of an authority that has a principal  
27 municipality with a population of more than 1.3 million [~~850,000~~]

1 may be removed, as provided by this section, on a petition for the  
2 recall of the member submitted by the registered voters of the  
3 authority. Recall of a member under this section is in addition to  
4 any other method for removal under this subchapter.

5 SECTION 262. Section 451.602, Transportation Code, is  
6 amended to read as follows:

7 Sec. 451.602. AUTHORITIES COVERED BY SUBCHAPTER. Except  
8 as provided by Section 451.617, this subchapter applies only to an  
9 authority in which the principal municipality has a population of  
10 less than 1.3 million [~~850,000~~] and that was confirmed before July  
11 1, 1985.

12 SECTION 263. Section 502.403(f), Transportation Code, is  
13 amended to read as follows:

14 (f) A municipality with a population greater than 1.3  
15 million [~~850,000~~] shall deposit revenue from a fee imposed under  
16 this subsection to the credit of the child safety trust fund created  
17 under Section 106.001, Local Government Code. A municipality with a  
18 population less than 1.3 million [~~850,000~~] shall use revenue from a  
19 fee imposed under this section in accordance with Article  
20 102.014(g), Code of Criminal Procedure.

21 SECTION 264. Section 541.201(1), Transportation Code, is  
22 amended to read as follows:

23 (1) "Authorized emergency vehicle" means:  
24 (A) a fire department or police vehicle;  
25 (B) a public or private ambulance operated by a  
26 person who has been issued a license by the Department of State  
27 Health Services;

- 1 (C) an emergency medical services vehicle:
- 2 (i) authorized under an emergency medical
- 3 services provider license issued by the Department of State Health
- 4 Services under Chapter 773, Health and Safety Code; and
- 5 (ii) operating under a contract with an
- 6 emergency services district that requires the emergency medical
- 7 services provider to respond to emergency calls with the vehicle;
- 8 (D) a municipal department or public service
- 9 corporation emergency vehicle that has been designated or
- 10 authorized by the governing body of a municipality;
- 11 (E) a county-owned or county-leased emergency
- 12 management vehicle that has been designated or authorized by the
- 13 commissioners court;
- 14 (F) a vehicle that has been designated by the
- 15 department under Section 546.0065;
- 16 (G) a private vehicle of a volunteer firefighter
- 17 or a certified emergency medical services employee or volunteer
- 18 when responding to a fire alarm or medical emergency;
- 19 (H) an industrial emergency response vehicle,
- 20 including an industrial ambulance, when responding to an emergency,
- 21 but only if the vehicle is operated in compliance with criteria in
- 22 effect September 1, 1989, and established by the predecessor of the
- 23 Texas Industrial Emergency Services Board of the State
- 24 Firefighters' [~~Firemen's~~] and Fire Marshals' Association of Texas;
- 25 (I) a vehicle of a blood bank or tissue bank,
- 26 accredited or approved under the laws of this state or the United
- 27 States, when making emergency deliveries of blood, drugs,

1 medicines, or organs;

2 (J) a vehicle used for law enforcement purposes  
3 that is owned or leased by a federal governmental entity; or

4 (K) a private vehicle of an employee or volunteer  
5 of a county emergency management division in a county with a  
6 population of more than 52,600 [~~46,500~~] and less than 55,000  
7 [~~48,000~~] that is designated as an authorized emergency vehicle by  
8 the commissioners court of that county.

9 SECTION 265. Section 644.101(b), Transportation Code, is  
10 amended to read as follows:

11 (b) A police officer of any of the following municipalities  
12 is eligible to apply for certification under this section:

13 (1) a municipality with a population of 50,000 or  
14 more;

15 (2) a municipality with a population of 25,000 or more  
16 any part of which is located in a county with a population of  
17 500,000 or more;

18 (3) a municipality with a population of less than  
19 25,000:

20 (A) any part of which is located in a county with  
21 a population of 3.3 million; and

22 (B) that contains or is adjacent to an  
23 international port;

24 (4) a municipality with a population of at least  
25 34,000 that is located in a county that borders two or more states;

26 (5) a municipality any part of which is located in a  
27 county bordering the United Mexican States;

1           (6) a municipality with a population of less than  
2 5,000 that is located:

3           (A) adjacent to a bay connected to the Gulf of  
4 Mexico; and

5           (B) in a county adjacent to a county with a  
6 population greater than 3.3 million;

7           (7) a municipality that is located:

8           (A) within 25 miles of an international port; and

9           (B) in a county that does not contain a highway  
10 that is part of the national system of interstate and defense  
11 highways and is adjacent to a county with a population greater than  
12 3.3 million;

13           (8) a municipality with a population of less than  
14 8,500 that:

15           (A) is the county seat; and

16           (B) contains a highway that is part of the  
17 national system of interstate and defense highways;

18           (9) a municipality located in a county with a  
19 population between 60,000 and 69,000 [~~66,000~~] adjacent to a bay  
20 connected to the Gulf of Mexico;

21           (10) a municipality with a population of more than  
22 40,000 and less than 50,000 that is located in a county with a  
23 population of more than 285,000 and less than 300,000 that borders  
24 the Gulf of Mexico;

25           (11) a municipality with a population between 32,000  
26 and 50,000 that is located entirely in a county that:

27           (A) has a population of less than 250,000;

1 (B) is adjacent to two counties that each have a  
2 population of more than 1.2 million; and

3 (C) contains two highways that are part of the  
4 national system of interstate and defense highways;

5 (12) a municipality with a population of more than  
6 4,500 [~~3,000~~] and less than 10,000 that:

7 (A) contains a highway that is part of the  
8 national system of interstate and defense highways; and

9 (B) is located in a county with a population  
10 between 175,000 [~~150,000~~] and 190,000 [~~155,000~~];

11 (13) a municipality with a population of less than  
12 75,000 that is located in three counties, at least one of which has  
13 a population greater than 3.3 million;

14 (14) a municipality with a population between 13,900  
15 [~~14,000~~] and 17,000 that:

16 (A) contains three or more numbered United States  
17 highways; and

18 (B) is located in a county that is adjacent to a  
19 county with a population of more than 200,000; or

20 (15) a municipality with a population of less than  
21 50,000 that is located in:

22 (A) a county that generated \$20 million or more  
23 in tax revenue collected under Chapters 201 and 202, Tax Code, from  
24 oil and gas production during the preceding state fiscal year; or

25 (B) a county that is adjacent to two or more  
26 counties described by Paragraph (A).

27 SECTION 266. Section 644.202(b), Transportation Code, is

1 amended to read as follows:

2 (b) A municipality with a population of more than 1.3  
3 million [~~850,000~~] shall develop a route for commercial motor  
4 vehicles carrying hazardous materials on a road or highway in the  
5 municipality and submit the route to the Texas Department of  
6 Transportation for approval. If the Texas Department of  
7 Transportation determines that the route complies with all  
8 applicable federal and state regulations regarding the  
9 transportation of hazardous materials, the Texas Department of  
10 Transportation shall approve the route and notify the municipality  
11 of the approved route.

12 SECTION 267. Section 701.001(c), Transportation Code, is  
13 amended to read as follows:

14 (c) The limitation on the number of deputies that may be  
15 employed under Subsections (a) and (b) does not apply to a county  
16 with a population of more than 2.5 [~~two~~] million.

17 SECTION 268. Section 35.037(a), Utilities Code, as added by  
18 Chapter 426 (S.B. 3), Acts of the 87th Legislature, Regular  
19 Session, 2021, is amended to read as follows:

20 (a) This section only applies in a county with a population  
21 of more than 1.2 [~~one~~] million in which a national wildlife refuge  
22 is wholly or partly located.

23 SECTION 269. Section 36.354(g), Utilities Code, is amended  
24 to read as follows:

25 (g) For the purposes of this section, the term "military  
26 base" does not include a military base:

27 (1) that has been closed or realigned under the

1 Defense Base Closure and Realignment Act of 1990 (10 U.S.C. Section  
2 2687) and its subsequent amendments;

3 (2) that is administered by an authority established  
4 by a municipality under Chapter 379B, Local Government Code;

5 (3) that is operated by or for the benefit of the Texas  
6 National Guard, as defined by Section 437.001, Government Code,  
7 unless the base is served by a municipally owned utility owned by a  
8 city with a population of 900,000 [~~650,000~~] or more; or

9 (4) for which a municipally owned utility has acquired  
10 the electric distribution system under 10 U.S.C. Section 2688.

11 SECTION 270. Section 37.102(a), Utilities Code, is amended  
12 to read as follows:

13 (a) If a municipal corporation offers retail electric  
14 utility service in a municipality having a population of more than  
15 151,000 [~~145,000~~] that is located in a county having a population of  
16 more than 2.5 [~~2~~] million, the commission shall singly certificate  
17 areas in the municipality's boundaries in which more than one  
18 electric utility provides electric utility service.

19 SECTION 271. Section 13.1395(a)(1), Water Code, is amended  
20 to read as follows:

21 (1) "Affected utility" means a retail public utility,  
22 exempt utility, or provider or conveyor of potable or raw water  
23 service that furnishes water service to more than one customer:

24 (A) in a county with a population of 3.3 million  
25 or more; or

26 (B) in a county with a population of 800,000  
27 [~~550,000~~] or more adjacent to a county with a population of 3.3



1 million or more.

2 SECTION 272. Sections 13.245(c-5) and (c-6), Water Code,  
3 are amended to read as follows:

4 (c-5) Subsections (c-1), (c-2), (c-3), and (c-4) do not  
5 apply to:

6 (1) a county that borders the United Mexican States  
7 and the Gulf of Mexico or a county adjacent to such a county;

8 (2) a county with a population of more than 30,000 and  
9 less than 36,000 [~~35,000~~] that borders the Red River; or

10 (3) a county with a population of more than 100,000 and  
11 less than 200,000 that borders a county described by Subdivision  
12 (2).

13 (c-6) Subsections (c-1), (c-2), (c-3), and (c-4) do not  
14 apply to:

15 (1) a county with a population of 170,000 [~~130,000~~] or  
16 more that is adjacent to a county with a population of 1.5 million  
17 or more that is within 200 miles of an international border; or

18 (2) a county with a population of more than 40,000 and  
19 less than 50,000 that contains a portion of the San Antonio River.

20 SECTION 273. Sections 13.2451(b-2) and (b-3), Water Code,  
21 are amended to read as follows:

22 (b-2) Subsection (b) does not apply to an extension of  
23 extraterritorial jurisdiction in a county:

24 (1) with a population of more than 30,000 and less than  
25 36,000 [~~35,000~~] that borders the Red River; or

26 (2) with a population of more than 100,000 and less  
27 than 200,000 that borders a county described by Subdivision (1).

1 (b-3) Subsection (b) does not apply to an extension of  
2 extraterritorial jurisdiction in a county:

3 (1) with a population of 170,000 [~~130,000~~] or more  
4 that is adjacent to a county with a population of 1.5 million or  
5 more that is within 200 miles of an international border; or

6 (2) with a population of more than 40,000 and less than  
7 50,000 that contains a portion of the San Antonio River.

8 SECTION 274. Sections 13.254(a-10) and (a-11), Water Code,  
9 are amended to read as follows:

10 (a-10) Subsection (a-8) does not apply to a county:

11 (1) with a population of more than 30,000 and less than  
12 36,000 [~~35,000~~] that borders the Red River; or

13 (2) with a population of more than 100,000 and less  
14 than 200,000 that borders a county described by Subdivision (1).

15 (a-11) Subsection (a-8) does not apply to a county:

16 (1) with a population of 170,000 [~~130,000~~] or more  
17 that is adjacent to a county with a population of 1.5 million or  
18 more that is within 200 miles of an international border; or

19 (2) with a population of more than 40,000 and less than  
20 50,000 that contains a portion of the San Antonio River.

21 SECTION 275. Section 13.2541(b), Water Code, is amended to  
22 read as follows:

23 (b) As an alternative to decertification or expedited  
24 release under Section 13.254, the owner of a tract of land that is  
25 at least 25 acres and that is not receiving water or sewer service  
26 may petition for expedited release of the area from a certificate of  
27 public convenience and necessity in the manner provided by this

1 section and is entitled to that release if the landowner's property  
2 is located in a county with a population of at least 1.2 [~~one~~]  
3 million, a county adjacent to a county with a population of at least  
4 1.2 [~~one~~] million, or a county with a population of more than  
5 200,000 and less than 233,500 [~~220,000~~] that does not contain a  
6 public or private university that had a total enrollment in the most  
7 recent fall semester of 40,000 or more, and not in a county that has  
8 a population of more than 50,500 [~~45,500~~] and less than 52,000  
9 [~~47,500~~].

10 SECTION 276. Section 26.179(o), Water Code, is amended to  
11 read as follows:

12 (o) This section does not apply to an area within the  
13 extraterritorial jurisdiction of a municipality with a population  
14 greater than 1.3 million [~~900,000~~] that has extended to the  
15 extraterritorial jurisdiction of the municipality an ordinance  
16 whose purpose is to prevent the pollution of an aquifer which is the  
17 sole or principal drinking water source for the municipality.

18 SECTION 277. Section 26.3476(b), Water Code, is amended to  
19 read as follows:

20 (b) An underground storage tank system, at a minimum, shall  
21 incorporate a method for secondary containment if the system is  
22 located in:

23 (1) the outcrop of a major aquifer composed of  
24 limestone and associated carbonate rocks of Cretaceous age or  
25 older; and

26 (2) a county that:

27 (A) has a population of at least 1.2 [~~one~~]

1 million and relies on groundwater for at least 75 percent of the  
2 county's water supply; or

3 (B) has a population of at least 75,000 and is  
4 adjacent to a county described by Paragraph (A).

5 SECTION 278. Section 36.121, Water Code, is amended to read  
6 as follows:

7 Sec. 36.121. LIMITATION ON RULEMAKING POWER OF DISTRICTS  
8 OVER WELLS IN CERTAIN COUNTIES. Except as provided by Section  
9 36.117, a district that is created under this chapter on or after  
10 September 1, 1991, shall exempt from regulation under this chapter  
11 a well and any water produced or to be produced by a well that is  
12 located in a county that has a population of 15,500 [~~14,000~~] or less  
13 if the water is to be used solely to supply a municipality that has a  
14 population of 125,500 [~~121,000~~] or less and the rights to the water  
15 produced from the well are owned by a political subdivision that is  
16 not a municipality, or by a municipality that has a population of  
17 133,000 [~~115,000~~] or less, and that purchased, owned, or held  
18 rights to the water before the date on which the district was  
19 created, regardless of the date the well is drilled or the water is  
20 produced. The district may not prohibit the political subdivision  
21 or municipality from transporting produced water inside or outside  
22 the district's boundaries.

23 SECTION 279. Section 51.537(a), Water Code, is amended to  
24 read as follows:

25 (a) This section applies only to a municipality any portion  
26 of which is located in a county with a population of more than 1.2  
27 [~~1~~] million and less than 1.5 million.

1 SECTION 280. Section 54.016(h), Water Code, is amended to  
2 read as follows:

3 (h) A city, other than a city with a population of more than  
4 one million that is located primarily in a county with a population  
5 of 2.5 [~~two~~] million or more, may provide in its written consent for  
6 the inclusion of land in a district that after annexation the city  
7 may set rates for water and/or sewer services for property that was  
8 within the territorial boundary of such district at the time of  
9 annexation, which rates may vary from those for other properties  
10 within the city for the purpose of wholly or partially compensating  
11 the city for the assumption of obligation under this code providing  
12 that:

13 (1) such written consent contains a contract entered  
14 into by the city and the persons petitioning for creation of the  
15 district setting forth the time and/or the conditions of annexation  
16 by the city which annexation shall not occur prior to the  
17 installation of 90 percent of the facilities for which district  
18 bonds were authorized in the written consent; and that

19 (2) the contract sets forth the basis on which rates  
20 are to be charged for water and/or sewer services following  
21 annexation and the length of time they may vary from those rates  
22 charged elsewhere in the city; and that

23 (3) the contract may set forth the time, conditions,  
24 or lands to be annexed by the district; and that

25 (4)(A) Each purchaser of land within a district which  
26 has entered into a contract with a city concerning water and/or  
27 sewer rates as set forth herein shall be furnished by the seller at

1 or prior to the final closing of the sale and purchase with a  
2 separate written notice, executed and acknowledged by the seller,  
3 which shall contain the following information:

4 (i) the basis on which the monthly water  
5 and/or sewer rate is to be charged under the contract stated as a  
6 percentage of the water and/or sewer rates of the city;

7 (ii) the length of time such rates will be  
8 in effect;

9 (iii) the time and/or conditions of  
10 annexation by the city implementing such rates.

11 The provisions of Sections 49.452(g)-(p) and (s), Water Code,  
12 are herein incorporated by reference thereto, and are applicable to  
13 the separate written notice required by Section 54.016(h)(4).

14 A suit for damages under the provisions of these referenced  
15 sections must be brought within 90 days after the purchaser  
16 receives his or her first water and/or sewer service charge  
17 following annexation, or the purchaser loses his or her right to  
18 seek damages under this referenced section.

19 (B) The governing board of any district covered  
20 by the provisions of this subsection shall file with the county  
21 clerk in each of the counties in which all or part of the district is  
22 located a duly affirmed and acknowledged statement which includes  
23 the information required in Section 54.016(h)(4)(A) and a complete  
24 and accurate map or plat showing the boundaries of the district.

25 The provisions of Sections 49.455(c)-(j), Water Code, are  
26 herein incorporated by reference thereto.

27 SECTION 281. Section 54.813(a), Water Code, is amended to

1 read as follows:

2 (a) This section applies only to a municipality any portion  
3 of which is located in a county with a population of more than 1.2  
4 [~~1~~] million and less than 1.5 million.

5 SECTION 282. Section 1, Chapter 511 (H.B. 589), Acts of the  
6 58th Legislature, Regular Session, 1963 (Article 2676a, Vernon's  
7 Texas Civil Statutes), is amended to read as follows:

8 Sec. 1. From and after the effective date of this act in any  
9 county in this state having a population of not less than 372,000  
10 [~~312,000~~] and not more than 400,000 [~~330,000~~], the general  
11 management and control of the public free schools and high schools  
12 in each county unless otherwise provided by law shall be vested in  
13 five (5) county school trustees elected from the county, one of whom  
14 shall be elected from the county at large by the qualified voters of  
15 the county and one from each commissioners precinct by the  
16 qualified voters of each commissioners precinct, who shall hold  
17 office for a term of two (2) years. The time for such election shall  
18 be the first Saturday in April of each year; the order for the  
19 election of county school trustees to be made by the County Judge at  
20 least thirty (30) days prior to the date of said election, and which  
21 order shall designate as voting places or places at which votes are  
22 cast for the district trustees of said common and independent  
23 school districts, respectively. The election officers appointed to  
24 hold the election for district trustees in each of said school  
25 districts, respectively, shall hold this election for county school  
26 trustees.

27 SECTION 283. Section 1, Chapter 233 (H.B. 459), Acts of the

1 59th Legislature, Regular Session, 1965 (Article [2676b](#), Vernon's  
2 Texas Civil Statutes), is amended to read as follows:

3       Sec. 1. This Act applies to a county-wide school district in  
4 a county having a population of more than 4,700 [~~5,250~~] and less  
5 than 4,900 [~~5,350~~]. The Board of Trustees may order that the  
6 trustees of the district shall run at large in the county. If the  
7 Board orders that its members shall run at large, each position  
8 shall be filled by election from the county at large upon expiration  
9 of the current term of office.

10       SECTION 284. Section 1(b), Chapter 63 (S.B. 100), Acts of  
11 the 57th Legislature, 3rd Called Session, 1962 (Article [2688h](#),  
12 Vernon's Texas Civil Statutes), is amended to read as follows:

13       (b) From and after May 1, 1962, the office of the county  
14 board of school trustees and the office of county superintendent  
15 shall cease to exist in any county in this State having a population  
16 of not less than 315,000 [~~285,000~~] and not more than 351,000  
17 [~~300,000~~] which has no common school district and whose county ad  
18 valorem evaluation is in excess of Two Hundred Fifty Million  
19 Dollars (\$250,000,000); provided, however, that the county  
20 superintendents in such counties who have been heretofore elected  
21 or appointed to the office of county superintendent shall serve  
22 until the expiration of the term for which they were elected or  
23 appointed. The duties now performed by the board of school trustees  
24 and county superintendents in such counties shall be performed by  
25 the County Judges of such counties.

26       SECTION 285. Sections 5 and 6, Chapter 706 (H.B. 1015), Acts  
27 of the 59th Legislature, Regular Session, 1965 (Article [2688i-1](#),



1 Vernon's Texas Civil Statutes), are amended to read as follows:

2           Sec. 5. The provisions of this Act shall not apply to  
3 counties having a population of not less than 4,700 [~~5,250~~] and not  
4 more than 4,900 [~~5,350~~] and to counties having a population of not  
5 less than 57,000 [~~54,000~~] and not more than 57,900 [~~54,500~~].

6           Sec. 6. No county having a population of more than 28,450  
7 [~~30,000~~] and less than 29,000 or a population of more than 31,045  
8 and less than 31,247 [~~32,000~~] shall have the offices of county  
9 school superintendent, ex officio county school superintendent,  
10 and county board of education.

11           All duties and functions, except as hereafter provided, that  
12 are otherwise required by law of the office of county school  
13 superintendent or ex officio county school superintendent governed  
14 by this section shall be performed by the superintendents of the  
15 independent and rural high school districts, and all duties that  
16 may otherwise be required by law of the county board of education  
17 governed by this section shall be performed by the elected Board of  
18 Trustees of such independent and rural high school districts,  
19 except that the County Judge shall, without pay from the State of  
20 Texas, continue to approve or disapprove application for school  
21 transfers. The Commissioners Court of such county shall hereafter  
22 receive, hear and pass upon all petitions for the calling of  
23 elections for the creation, change or abolishment of county school  
24 districts and all authorized appeals from the independent school  
25 Board of Trustees shall be made directly to the State Board of  
26 Education or to the courts as provided by law.

27           All school records of the original independent and/or common

1 school district governed by this section, shall be transferred to  
2 the control and custody of the independent school district office,  
3 located at the county seat, save and except the original financial  
4 records which shall be retained by the county treasurer, and  
5 thereafter the County Judge shall be required to make no records or  
6 reports but said reports shall be made by the superintendent of such  
7 independent or rural school district; that as soon as practicable  
8 after the effective date of this Act, all remaining State funds in  
9 the hands of the county board of education shall be transferred by  
10 the county treasurer and the County Judge to the independent and  
11 rural high school districts in proportion to the number of  
12 scholastics enrolled in such districts.

13 SECTION 286. Section 31A(b), Texas Local Fire Fighters  
14 Retirement Act (Article 6243e, Vernon's Texas Civil Statutes), is  
15 amended to read as follows:

- 16 (b) This section applies only to a municipality:
- 17 (1) with a population of less than 200,000;
  - 18 (2) that is located in a county with a population of  
19 not less than 2.5 [~~2~~] million and not more than 4 million;
  - 20 (3) that has a regularly organized fire department for  
21 which a retirement system and fund have been established under  
22 Section 4 of this Act; and
  - 23 (4) that before January 1, 2017, has one or more  
24 departments participating in the Texas Municipal Retirement  
25 System.

26 SECTION 287. Section 1.01, Chapter 183 (S.B. 598), Acts of  
27 the 64th Legislature, Regular Session, 1975 (Article 6243e.1,

1 Vernon's Texas Civil Statutes), is amended to read as follows:

2       Sec. 1.01. APPLICABILITY. This Act applies only to a  
3 municipality having a population of more than 950,000 [~~750,000~~] and  
4 less than 1,050,000 [~~850,000~~].

5       SECTION 288. Section 1, Chapter 103 (S.B. 622), Acts of the  
6 62nd Legislature, Regular Session, 1971 (Article ~~6243f-1~~, Vernon's  
7 Texas Civil Statutes), is amended to read as follows:

8       Sec. 1. No member of a fire department in any city or town in  
9 this state having a population of not less than 900,000 [~~700,000~~]  
10 nor more than 950,000 [~~750,000~~] shall be involuntarily retired  
11 prior to reaching the mandatory retirement age set for such cities'  
12 employees unless he is physically unable to perform his duties. In  
13 the event he is physically unable to perform his duties, he shall be  
14 allowed to use all of his accumulated sick leave, before  
15 retirement.

16       SECTION 289. Section 1(a), Chapter 451 (S.B. 737), Acts of  
17 the 72nd Legislature, Regular Session, 1991 (Article ~~6243n~~,  
18 Vernon's Texas Civil Statutes), is amended to read as follows:

19       (a) A retirement system is established by this Act for  
20 employees of each municipality having a population of more than  
21 950,000 [~~760,000~~] and less than 1,050,000 [~~860,000~~].

22       SECTION 290. Section 1.01, Chapter 452 (S.B. 738), Acts of  
23 the 72nd Legislature, Regular Session, 1991 (Article ~~6243n-1~~,  
24 Vernon's Texas Civil Statutes), is amended to read as follows:

25       Sec. 1.01. APPLICABILITY AND DEFINITIONS. This Act applies  
26 only to a municipality having a population of more than 950,000  
27 [~~750,000~~] and less than 1,050,000 [~~850,000~~].

1 SECTION 291. Section 1.03, Chapter 824 (S.B. 817), Acts of  
2 the 73rd Legislature, Regular Session, 1993 (Article 6243o,  
3 Vernon's Texas Civil Statutes), is amended to read as follows:

4 Sec. 1.03. APPLICABILITY. This Act applies to paid fire and  
5 police departments of a municipality with a population between 1.4  
6 [~~1.3~~] million and 1.7 [~~1.5~~] million.

7 SECTION 292. Section 1.03, Chapter 1332 (S.B. 1568), Acts  
8 of the 75th Legislature, Regular Session, 1997 (Article 6243q,  
9 Vernon's Texas Civil Statutes), is amended to read as follows:

10 Sec. 1.03. APPLICABILITY. This Act applies to a paid fire  
11 and police department of a municipality with a population of 1.4  
12 [~~1.3~~] million or more but less than 1.7 [~~1.5~~] million.

13 SECTION 293. Section 1, Chapter 809 (H.B. 1687), Acts of the  
14 62nd Legislature, Regular Session, 1971 (Article 6812b-1, Vernon's  
15 Texas Civil Statutes), is amended to read as follows:

16 Sec. 1. The Commissioners Court of any county having a  
17 population of not less than 620,000 [~~425,000~~] nor more than 700,000  
18 [~~500,000~~] may appoint a County Engineer, but the selection shall be  
19 controlled by considerations of skill and ability for the task. The  
20 engineer may be selected at any regular meeting of the  
21 commissioners court, or at any special meeting called for that  
22 purpose. The engineer selected shall be a Registered Professional  
23 Engineer in the State of Texas. The engineer shall hold his office  
24 for a period of two years, his term of office expiring concurrently  
25 with the terms of other county officers, and he may be removed at  
26 the pleasure of the commissioners court. The engineer shall  
27 receive a salary to be fixed by the commissioners court not to

1 exceed the amount of the salary paid to the highest county official,  
2 to be paid out of the Road and Bridge Fund. The engineer, before  
3 entering upon the discharge of his duties, shall take the oath of  
4 office prescribed by law, and shall execute a bond in the sum of  
5 \$15,000 with a good and sufficient surety or sureties thereon,  
6 payable to the county judge of the county and successors in office  
7 in trust, for the use and the benefit of the Road and Bridge Fund, of  
8 the county to be approved by the court, conditioned that such  
9 engineer will faithfully and efficiently discharge and perform all  
10 of the duties required of him by law and by the orders of said  
11 commissioners court and shall faithfully and honestly and in due  
12 time account for all of the money, property and materials placed in  
13 his custody.

14 SECTION 294. (a) This Act is not intended to revive a law  
15 that was impliedly repealed by a law enacted by the 87th Legislature  
16 or a previous legislature.

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

21 SECTION 295. This Act takes effect September 1, 2023.