

BILL ANALYSIS

C.S.H.B. 2512
By: Geren
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that S.B. 2038 from the 88th Legislative Session, which allowed residents and landowners to remove property from a municipality's extraterritorial jurisdiction (ETJ), has caused unintended consequences. C.S.H.B. 2512 seeks to address this issue by revising applicability of the exemption from provisions governing the release of an area from a municipality's ETJ.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2512 amends the Local Government Code to revise applicability of the exemption from provisions governing the release of an area from a municipality's ETJ by petition or election as follows:

- exempts an area located in an area subject to a development agreement entered into under applicable state law relating to agreements governing certain land in a municipality's ETJ with a municipality with a population of more than 900,000, regardless of the population of the municipality when the agreement was entered into;
- exempts an area located in a platted or unplatted lot of less than 12 acres unless included with other land in such a petition for release; and
- exempts an area located within a platted subdivision of 25 or more lots if the area is a single lot.

The bill applies only to the eligibility of an area to be released from a municipality's ETJ as the result of a petition or an election, as applicable, on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2512 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Both the introduced and the substitute revise applicability of the exemption from provisions governing the release of an area from a municipality's ETJ by petition or election. However, the versions differ as follows:

- the substitute omits a provision included in the introduced with respect to an exempt area located within five miles of the boundary of a military base at which an active training program is conducted that changed the applicable distance to within 15 miles of such a boundary;
- the substitute includes a specification not in the introduced that makes the exemption of an area located in an area subject to a development agreement entered into under applicable state law relating to agreements governing certain land in a municipality's ETJ applicable to an area with a municipality with a population of more than 900,000, regardless of the population of the municipality when the agreement was entered into;
- the substitute omits provisions from the introduced that exempted an area located in an area within a municipality's certificate of convenience and necessity issued in accordance with applicable Water Code provisions; and
- the substitute includes provisions not in the introduced exempting an area located in a platted or unplatted lot of less than 12 acres unless included with other land in such a petition for release and an area located within a platted subdivision of 25 or more lots if the area is a single lot.

The substitute includes a provision not in the introduced establishing the applicability of the bill's provisions to the eligibility of an area to be released from a municipality's ETJ as the result of a petition or an election, as applicable, on or after the bill's effective date.

Whereas the introduced provided for the bill to take effect immediately, contingent on receiving the requisite constitutional vote, or on September 1, 2025, the substitute provides only for the bill to take effect September 1, 2025, with no possibility for immediate effect.