

## **BILL ANALYSIS**

Senate Research Center  
89R23154 MP-F

C.S.S.B. 1844  
By: Paxton  
Local Government  
4/25/2025  
Committee Report (Substituted)

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

In 2017, the 85th Legislature passed S.B. 6 during the first special session. S.B. 6 ended forced annexation, the practice in which cities annexed properties without approval by property owners. This was a problem because cities were acting without regard to the citizens' needs by annexing areas to expand their taxable jurisdiction, but not providing city services in return.

Even so, there remain areas of the state where cities assess property taxes but do not deliver city services.

For limited purpose jurisdictions, a city's ordinances and regulations pertaining to land development and the environment, and sometimes health and safety, are extended. Traditionally, a city collects no taxes in limited purpose areas, but thus does not provide municipal services, such as police protection.

This bill builds upon previous annexation reforms to also ensure that a city cannot expand its taxing area into limited purpose jurisdiction areas without a plan to begin to deliver full city services to the limited purpose jurisdiction.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1844 amends current law relating to disannexation of certain areas of a municipality for failure to provide services.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 43.141, Local Government Code, by amending (a), (b), (d), and (f) and adding Subsections (g) and (h), as follows:

(a) Authorizes a majority of property owners of an area, rather than qualified voters of an annexed area, including one or more lots, tracts, or parcels, or a portion of a lot, tract, or parcel, to petition the governing body of the municipality to disannex the area if the municipality fails or refuses to provide the services described under Subsection (b)(1) or (3) or to cause those services to be provided to the area in certain circumstances, including, notwithstanding Section 43.0505 (Applicability), if the area did not become part of the municipality in compliance with and under Subchapter C (Limitations and Requirements Regarding Annexations Exempted From Consent Annexation Procedures). Makes nonsubstantive changes.

(b) Requires that a case requesting that an area be disannexed, on the filing of an answer by the governing body, and on application of either party, be advanced and heard without further delay in accordance with rules for expedited actions under the Texas Rules of Civil Procedure. Requires the district court to enter an order disannexing the area and

award attorney's fees to the signers of the petition if the court finds that a valid petition was filed with the municipality and that the municipality:

(1)-(2) makes nonsubstantive changes to these subdivisions; or

(3) has not connected the majority of the properties in the area covered by the petition, regardless of whether the area was annexed by the municipality, to the municipality's water and wastewater systems, if any other area in the municipality is connected to the municipality's water and wastewater systems.

(d) Requires that the petition for disannexation be written, request the disannexation, be signed in ink or indelible pencil by the appropriate property owners, rather than voters, contain a note made by each property owner stating the person's residence address, describe the area to be disannexed and have a plat, survey, or other likeness of the area attached, and be presented to the secretary of the municipality.

Deletes existing text requiring that the petition for disannexation be signed by each voter as that person's name appears on the most recent official list of registered voters and contain a note made by each voter stating the person's residence address and the precinct number and voter registration number that appear on the person's voter registration certificate. Makes conforming and nonsubstantive changes.

(f) Requires that notice of a petition, for an area annexed under Chapter 43 (Municipal Annexation), before the petition is circulated among the property owners, be given by posting a copy of the petition for 10 days in three public places in the area, rather than the annexed area, and by publishing a copy of the petition once in a newspaper of general circulation serving the area before the 15th day before the date the petition is first circulated. Makes conforming changes.

(g) Provides that if an area described by Subsection (a)(3) (relating to authorizing property owners to petition the governing body of a municipality if the area did not become part of the municipality) is disannexed, in accordance with Section 31.141 (Disannexation for Failure to Provide Services), the landowners of the area are not eligible for a refund of taxes or fees for the area under Section 43.148 (Refund of Taxes and Fees).

(h) Prohibits the disannexation of an area under this section from including land that comprises the bed of navigable waterway.

SECTION 2. Effective date: upon passage or September 1, 2025.