

BILL ANALYSIS

S.B. 2965
By: Creighton
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the emergency services commissioners board of an emergency services district (ESD) must disannex territory when they receive notice from a municipality of their intent to annex that territory, and a municipality's service plan must provide emergency services at the time of annexation and maintain at least the same level of service. However, as the bill sponsor has informed the committee, there is little to no accountability to ensure these standards are met, or that the continuity of established services remains intact. As a result, municipalities have annexed ESD territory without being fully prepared to provide adequate emergency services. The bill sponsor has also informed the committee that this has resulted in slower emergency response times, service reductions, or, in many cases, a difficult moral versus fiduciary dilemma for ESDs—whether to continue responding to calls in disannexed areas or to cease services entirely—despite the municipality now assuming both responsibility for emergency services and the associated tax revenue. S.B. 2965 addresses this issue by prohibiting disannexation if the municipality cannot meet or exceed the services currently being provided in the district.

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

S.B. 2965 amends the Health and Safety Code to revise the requirement for a municipality that completes all other procedures necessary to annex territory in an emergency services district and that intends to remove the territory from the district and be the sole provider of emergency services to the territory by the use of municipal personnel or a method other than by use of the district to send written notice of those facts to the district's board of emergency services commissioners as follows:

- specifies that such annexation procedures include the preparation of an annexation service plan, if required by applicable Local Government Code provisions;
- replaces the condition that the municipality intend to be the sole provider of emergency services to the territory in the specified manner with a condition that the municipality is capable at the time of the removal of being that sole provider in that manner;
- sets a deadline by which the municipality must send the written notice to the board at not later than the 30th day after the municipality completes the necessary procedures; and

- requires the municipality to also send the completed service plan, if applicable, to the board by that deadline.

The bill conditions the disannexation of the territory from the district on the board disannexing the territory by resolution.

S.B. 2965 replaces the requirement for the board, on receipt of the municipality's written notice, to immediately change its records to show that the territory has been disannexed from the district and cease to provide further services to the territory's residents with a requirement for the board, if it determines that municipal services planned to be provided in the territory will meet or exceed the level of service provided by the district in the territory at the time of disannexation, to disannex the territory from the district by resolution, notify the appraisal district to change its records to show that the territory has been disannexed, and cease to provide further services to the territory's residents. The bill requires the board, if it determines that such planned municipal services will not meet or exceed the level of service provided by the district in the territory, to adopt that determination in a resolution and prohibits the board, on such a determination, from disannexing the territory from the district by resolution. The bill defines "level of service" for fire and emergency medical protection as the location, deployment, and response time of fire suppression or medical resources originally dispatched to a structural or wildland fire or emergency medical incident. The bill establishes that a board is considered to have approved a disannexation of territory if the board fails to provide to the municipality a resolution disapproving or approving the disannexation before the 30th day after the date the board receives the written notice from the municipality.

EFFECTIVE DATE

September 1, 2025.