

BILL ANALYSIS

Senate Research Center
89R10443 MCF-F

S.B. 2965
By: Creighton
Local Government
4/22/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, when a municipality intends to disannex territory from an emergency services district (ESD), it must send written notice by certified mail to the secretary of the ESD board of directors notifying the ESD of the annexation and intent to be the sole provider of emergency services. Upon receipt of the notice, the ESD board must immediately change its records to show that the territory has been disannexed from the ESD and cease to provide services to the residents in the newly annexed area. However, concerns have been raised about instances in which a municipality annexes territory but does not maintain or exceed the level of emergency services provided before annexation, resulting in a reduction of services to residents.

S.B. 2965 clarifies current law on how a municipality can annex portions of an ESD to ensure that residents in annexed jurisdictions continue to receive the same level of emergency services under the municipality as they did under the ESD. Specifically, the bill prohibits an order of disannexation from being adopted if the services planned for the area will not meet or exceed the level of service provided by the ESD at the time of disannexation. The bill does not prohibit municipal annexation, but facilitates accountability of the current statute and ensures continuity of important public safety services.

As proposed, S.B. 2965 amends current law relating to territory in an emergency services district that is annexed by a municipality.

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 775.022, Health and Safety Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires a municipality, if the municipality completes all other procedures necessary to annex territory in a district, including the preparation of a service plan if required by Section 43.056 (Provision of Services to Annexed Area), Local Government Code, the municipality intends to remove the territory from the district, and the municipality is capable at the time of the removal of being, rather than if the municipality intends to be, the sole provider of emergency services to the territory by the use of municipal personnel or by some method other than by use of the district, to send written notice of those facts, and the completed service plan, if applicable, to the board of emergency services commissioners (board) not later than the 30th day after completing the necessary procedures. Provides that the territory remains part of the emergency services district (district) and does not become part of the municipality until the secretary of the board receives the notice and the board by resolution disannexes the territory from the district. Provides that, if the board determines that the municipal services planned to be provided in the territory will not meet or exceed the level of service provided by the district in the territory, the board is required to adopt that determination in a resolution and is prohibited from by resolution disannexing the territory from the district. Requires the board, if the board 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, rather than requires the board, on receipt of the notice, by resolution to disannex the territory from the district, notify the appraisal district to change, rather than to immediately change, its records to show that the territory has been disannexed from the district, and cease to provide further services to the residents of that territory. Defines "level of service." Makes nonsubstantive changes.

(a-1) Provides that a board is considered to have approved a disannexation of territory under Subsection (a) 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 notice under Subsection (a) from the municipality.

SECTION 2. Effective date: September 1, 2025.