

By: Bettencourt

S.B. No. 2523

A BILL TO BE ENTITLED

AN ACT

relating to the release of an area from the extraterritorial jurisdiction of a municipality by petition.

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

SECTION 1. Section 42.023, Local Government Code, is amended to read as follows:

Sec. 42.023. REDUCTION OF EXTRATERRITORIAL JURISDICTION. The extraterritorial jurisdiction of a municipality may not be reduced unless the governing body of the municipality gives its written consent by ordinance or resolution, except:

(1) in cases of judicial apportionment of overlapping extraterritorial jurisdictions under Section 42.901;

(2) in accordance with an agreement under Section 42.022(d); ~~[or]~~

(3) as necessary to comply with Section 42.0235; or

(4) as necessary to comply with Subchapter D or E.

SECTION 2. Section 42.102, Local Government Code, is amended to read as follows:

Sec. 42.102. AUTHORITY TO FILE PETITION FOR RELEASE. (a) A resident of an area in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction. A resident may only file for release of an area if the resident resides in the area subject to

1 the release.

2 (b) The owner or owners of the majority in value of an area
3 consisting of one or more parcels of land in a municipality's
4 extraterritorial jurisdiction may file a petition with the
5 municipality in accordance with this subchapter for the area to be
6 released from the extraterritorial jurisdiction. An area that is
7 the subject of the petition may only include parcels for which the
8 owner or owners have an ownership interest.

9 SECTION 3. Section 42.104(a), Local Government Code, is
10 amended to read as follows:

11 (a) A petition requesting release under this subchapter
12 must be signed by:

13 (1) more than 50 percent of the registered voters of
14 the area described by the petition as of the date of the preceding
15 uniform election date; or

16 (2) a majority in value of the holders of title of land
17 in the area described by the petition, based on the aggregated
18 appraised value of all real property located in the area as
19 indicated by the most recent appraisal roll submitted to the
20 municipality under Chapter 26, Tax Code [~~tax rolls of the~~
21 ~~applicable central appraisal district~~].

22 SECTION 4. Section 42.105, Local Government Code, is
23 amended by amending Subsection (b) and adding Subsection (b-1) to
24 read as follows:

25 (b) The municipality shall notify the residents and
26 landowners of the area described by the petition that the
27 municipality has received the petition. The municipality shall

1 provide the notice required by this subsection not later than the
2 seventh business day after the date the municipality receives the
3 petition.

4 (b-1) The municipality shall notify the residents and
5 landowners of the area described by the petition of the results of
6 the petition. The municipality may satisfy the requirement of this
7 subsection [~~this requirement~~] by notifying the person who filed the
8 petition under Section 42.102.

9 SECTION 5. Subchapter D, Chapter 42, Local Government Code,
10 is amended by adding Section 42.106 to read as follows:

11 Sec. 42.106. OPT OUT OF REMOVAL. Before an area is released
12 from a municipality's extraterritorial jurisdiction under this
13 subchapter, a landowner in the area to be released must be permitted
14 to opt their property out of the release.

15 SECTION 6. This Act takes effect September 1, 2025.