

House Bill 2512
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION __. 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. [FA3]

SECTION 1. Section 42.101, Local Government Code, is amended to read as follows:
Sec. 42.101. APPLICABILITY. This subchapter does not apply to an area located:
(1) within five miles of the boundary of a military base, as defined by Section 43.0117, at which an active training program is conducted;
(2) in an area that was voluntarily annexed into the extraterritorial jurisdiction that is located in a county:
(A) in which the population grew by more than 50 percent from the previous federal decennial census in the federal decennial census conducted in 2020; and
(B) that has a population greater than 240,000;
(3) within the portion of the extraterritorial jurisdiction of a municipality with a population of more than 1.4 million that is:

SECTION 1. Section 42.101, Local Government Code, is amended to read as follows:
Sec. 42.101. APPLICABILITY. This subchapter does not apply to an area located:
(1) within five miles of the boundary of a military base, as defined by Section 43.0117, at which an active training program is conducted;
(2) in an area that was voluntarily annexed into the extraterritorial jurisdiction that is located in a county:
(A) in which the population grew by more than 50 percent from the previous federal decennial census in the federal decennial census conducted in 2020; and
(B) that has a population greater than 240,000;
(3) within the portion of the extraterritorial jurisdiction of a municipality with a population of more than 1.4 million that is:

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- (A) within 15 miles of the boundary of a military base, as defined by Section 43.0117, at which an active training program is conducted; and
- (B) in a county with a population of more than two million;
- (4) in an area designated as an industrial district under Section 42.044; [øf]
- (5) in an area subject to a strategic partnership agreement entered into under Section 43.0751;
- (6) in an area subject to an active development agreement entered into under Section 212.172 with a municipality located in four or more counties, one of which:
 - (A) has a population of 2.1 million or more; and
 - (B) is adjacent to a county with a population of 2.6 million or more;
- (7) in a platted or unplatted lot of less than 12 acres unless included with other land in a petition for release under Section 42.102; or
- (8) within a platted subdivision of 25 or more lots if the area is a single lot.

SECTION 2. Section 42.151, Local Government Code, is amended to read as follows:
Sec. 42.151. APPLICABILITY. This subchapter does not apply to an area located:
(1) within five miles of the boundary of a military base, as defined by Section 43.0117, at which an active training program is conducted;
(2) in an area that was voluntarily annexed into the extraterritorial jurisdiction that is located in a county:

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- (A) within 15 miles of the boundary of a military base, as defined by Section 43.0117, at which an active training program is conducted; and
- (B) in a county with a population of more than two million;
- (4) in an area designated as an industrial district under Section 42.044; [øf]
- (5) in an area subject to a strategic partnership agreement entered into under Section 43.0751; or [FA1(1)]
- (6) for the extraterritorial jurisdiction of a municipality located in four or more counties, one of which has a population of 2.1 million or more and is adjacent to a county with a population of 2.6 million or more:
 - (A) in an area subject to an active development agreement entered into under Section 212.172 with the municipality;
 - (B) in a platted or unplatted lot of less than 12 acres unless included with the other land in a petition for release under Section 42.102; or
 - (C) within a platted subdivision of 25 or more lots if the area is a single lot. [FA1(2)]

SECTION 2. Section 42.151, Local Government Code, is amended to read as follows:
Sec. 42.151. APPLICABILITY. This subchapter does not apply to an area located:
(1) within five miles of the boundary of a military base, as defined by Section 43.0117, at which an active training program is conducted;
(2) in an area that was voluntarily annexed into the extraterritorial jurisdiction that is located in a county:

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<p>(A) in which the population grew by more than 50 percent from the previous federal decennial census in the federal decennial census conducted in 2020; and</p> <p>(B) that has a population greater than 240,000;</p> <p>(3) within the portion of the extraterritorial jurisdiction of a municipality with a population of more than 1.4 million that is:</p> <p>(A) within 15 miles of the boundary of a military base, as defined by Section 43.0117, at which an active training program is conducted; and</p> <p>(B) in a county with a population of more than two million;</p> <p>(4) in an area designated as an industrial district under Section 42.044; [øø]</p> <p>(5) in an area subject to a strategic partnership agreement entered into under Section 43.0751;</p> <p>(6) in an area subject to an active development agreement entered into under Section 212.172 with a municipality located in four or more counties, one of which:</p> <p>(A) has a population of 2.1 million or more; and</p> <p>(B) is adjacent to a county with a population of 2.6 million or more;</p> <p>(7) in a platted or unplatted lot of less than 12 acres unless included with other land in a petition for release under Section 42.152; or</p> <p>(8) within a platted subdivision of 25 or more lots if the area is a single lot.</p> <p>No equivalent provision.</p>	<p>(A) in which the population grew by more than 50 percent from the previous federal decennial census in the federal decennial census conducted in 2020; and</p> <p>(B) that has a population greater than 240,000;</p> <p>(3) within the portion of the extraterritorial jurisdiction of a municipality with a population of more than 1.4 million that is:</p> <p>(A) within 15 miles of the boundary of a military base, as defined by Section 43.0117, at which an active training program is conducted; and</p> <p>(B) in a county with a population of more than two million;</p> <p>(4) in an area designated as an industrial district under Section 42.044; [øø]</p> <p>(5) in an area subject to a strategic partnership agreement entered into under Section 43.0751; or [FA1(3)]</p> <p>(6) <u>for the extraterritorial jurisdiction of a municipality located in four or more counties, one of which has a population of 2.1 million or more and is adjacent to a county with a population of 2.6 million or more:</u></p> <p>(A) <u>in an area subject to an active development agreement entered into under Section 212.172 with the municipality;</u></p> <p>(B) <u>in a platted or unplatted lot of less than 12 acres unless included with the other land in a petition for release under Section 42.152; or</u></p> <p>(C) <u>within a platted subdivision of 25 or more lots if the area is a single lot. [FA1(4)]</u></p> <p>SECTION __. Section 42.152, Local Government Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:</p>	

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(a) A resident of an area in a municipality's extraterritorial jurisdiction may request the municipality to hold an election in accordance with this subchapter to vote on the question of whether to release the area from the municipality's extraterritorial jurisdiction by filing with the municipality a petition that includes the signatures of at least five percent of the registered voters residing in the area as of the date of the preceding uniform election date. A resident may only file for release of an area if the resident resides in the area subject to the release.

(d) If a municipality receives a petition under this section, the municipality shall provide notice of the petition to the residents and landowners of the area described by the petition. The municipality shall provide the notice not later than the seventh business day after the date the municipality receives the petition. [FA3]

No equivalent provision.

SECTION __. Subchapter E, Chapter 42, Local Government Code, is amended by adding Section 42.157 to read as follows:

Sec. 42.157. OPT OUT OF REMOVAL. Before an area is released from a municipality's extraterritorial jurisdiction under this subchapter, a landowner in the area to be released must be provided the opportunity to have the landowner's property remain within the municipality's extraterritorial jurisdiction. [FA3]

SECTION 3. The changes in law made by this Act apply only to the eligibility of an area to be released from a municipality's extraterritorial jurisdiction as the result of a

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petition filed under Subchapter D, Chapter 42, Local Government Code, or an election requested under Subchapter E of that chapter, as applicable, on or after the effective date of this Act.

SECTION 4. This Act takes effect September 1, 2025.

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SECTION 4. Same as House version.

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