By: Curry H.B. No. 1275

A BILL TO BE ENTITLED

AN ACT

relating to the incorporation of a General Law Municipality.

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

SECTION 1. Section 8.001., Local Government Code, is amended to read as follows:

Sec. 8.001. AUTHORITY TO INCORPORATE AS TYPE C GENERAL-LAW MUNICIPALITY. (a) A community may incorporate under this subchapter as a Type C general-law municipality if it:

(1) constitutes an unincorporated city, town, or village, or land formerly within the extraterritorial jurisdiction of a city, town or village and;

~~(2) contains 201 to 4,999 inhabitants; and~~

(~~3~~2) meets the territorial requirements prescribed by Section 5.901.

(b) A community incorporating as a Type C general-law municipality adopts the commission form of government.

Sec. 8.002. PETITION TO INCORPORATE. The landowners ~~residents~~ of a qualifying area ~~community~~ may ~~initiate an attempt to~~ incorporate under this subchapter by filing with the county judge a written petition signed by at least 10 percent of the landowners ~~qualified voters~~ of the area ~~community~~. The petition shall require ~~must request~~ the county judge to order an election to determine whether the area ~~community~~ will incorporate as a Type C general-law municipality.

Sec. 8.003. ELECTION ORDER. Within 10 days of receiving a petition, the ~~If a~~ county judge ~~receives the petition and if satisfactory proof is made that the community contains the requisite number of inhabitants, the judge~~ shall order an incorporation election to be held on a specified date and within 30 days at a designated place in the area ~~community~~.

Sec. 8.004. ELECTION OFFICERS. The county judge shall appoint two election judges and two election clerks to conduct the incorporation election under this subchapter. The county judge shall designate one of the election judges to be the presiding judge.

Sec. 8.005. NOTICE OF ELECTION. Notice of an incorporation election under this subchapter must be published in a newspaper in the area ~~community~~ before the 10th ~~30th~~ day before the date of the election, or if there is no newspaper in the community, the notice must be posted at three public places in the community for the ~~30~~ 10 days preceding the date of the election.

Sec. 8.006. ORDER OF INCORPORATION. If a majority of the votes cast in an election under this subchapter are for incorporation, the county judge shall enter an order in the minutes of the commissioners court within 10 days of the election that the land area community is incorporated. The incorporation is effective on the date the order is entered.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

Act takes effect September 1, 2027.