

BILL ANALYSIS

H.B. 1038
By: Burns
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that recent legislative efforts made beneficial reforms to the municipal annexation process, providing residents living in the extraterritorial jurisdiction of a city with a greater say in the process. However, there have been calls to further strengthen the protections of residents during this process. H.B. 1038 seeks to strengthen the rights of property owners by providing for a petition for an election regarding voter approval of municipal annexation.

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

H.B. 1038 amends the Local Government Code to set out the petition and election procedure for a tier 1 county to be considered a tier 2 county for municipal annexation purposes. The bill provides for the suspension of any pending annexation that would be affected by the outcome of such an election and changes the voter approval threshold by which a tier 1 county is considered a tier 2 county from a majority of the registered voters of the county to a majority of the votes cast.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.