

BILL ANALYSIS

H.B. 1843
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Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the annexation of territory in a municipality's limits or extraterritorial jurisdiction into an emergency services district without proper notification being given to the municipality's governing body. H.B. 1843 seeks to address these concerns by requiring a written request for approval of certain annexations to be presented to a municipality's governing body.

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. 1843 amends the Health and Safety Code to require, before territory in a municipality's limits or extraterritorial jurisdiction may be annexed into an emergency services district, a written request for the annexation to be presented to the municipality's governing body after the property owners' petition requesting the annexation is filed with the secretary of the district's board of emergency services commissioners. The bill prohibits that territory, except as otherwise provided by the bill, from being annexed into the district unless the municipality's governing body gives its written consent on or before the 60th day after the date the municipality receives the request.

H.B. 1843 authorizes a majority of the qualified voters and the owners of at least 50 percent of the territory in the municipality's limits or extraterritorial jurisdiction that would have been annexed into the district to petition the governing body to make fire control and emergency medical and ambulance services available in the territory if the municipality's governing body does not consent to annexation within the 60-day period. The bill requires the petition to be submitted to the governing body not later than the 90th day after the date the municipality receives the annexation request. The bill establishes that the governing body's refusal or failure to act on the petition requesting fire control and emergency medical and ambulance services within six months after the date on which the petition is received constitutes consent for the territory that is the subject of the petition to be annexed into the district. If the territory proposed to be annexed into the district will include territory designated by a municipality as an industrial district, the bill requires consent to be obtained from the municipality's governing body in the same manner provided by the bill's provisions for obtaining consent to annex territory within the limits or extraterritorial jurisdiction of a municipality.

H.B. 1843 authorizes territory to be annexed into the emergency services district in the same manner as other territory is annexed under applicable provisions if the municipality's governing body consents to annexation of territory within its limits or extraterritorial jurisdiction or in an industrial district. The bill sets the governing body's consent for the annexation of territory into an emergency services district to expire six months after the date the consent is given. The bill exempts from its provisions territory proposed to be annexed into an emergency services district that is in the unincorporated area of a county with a population of 3.3 million or more.

H.B. 1843 requires the property owners' petition requesting the inclusion of territory in an emergency services district to show the name of each municipality whose consent must be obtained under the bill's provisions.

EFFECTIVE DATE

September 1, 2019.