

BILL ANALYSIS

H.B. 3827
By: Wilson
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 2017, the legislature passed legislation preventing municipalities from forcibly annexing areas without the consent of a majority of the property owners residing in the area to be annexed. In 2019, the legislature passed legislation removing the "tier" designations from statute, giving property owners in all counties, regardless of population, the same protections against forcible annexation. However, there were some areas that were forcibly annexed by municipalities against the desires of property owners in those areas prior to the legislation's enactment. One of those areas is Lost Creek, a central Texas community which fought annexation for years, only to be annexed against the community's wishes. H.B. 3827 seeks to address this issue by providing for the disannexation of this community.

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. 3827 amends the Local Government Code to require a municipality to disannex an area with the following characteristics:

- the area contains:
 - an access point to a greenbelt; and
 - at least 1,200 single-family homes;
- the area is separated from two municipalities other than the municipality in which the area is located only by a highway; and
- before annexation:
 - the area was part of a single census designated place; and
 - the area was served by a municipal utility district that owned a water treatment and storage facility.

The bill requires the municipality to retain ownership of the water treatment and storage facility after disannexation if the facility was transferred to the municipality during annexation.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.