

## **BILL ANALYSIS**

Senate Research Center

S.B. 127  
By: Galloway  
Intergovernmental Relations  
2-6-97  
As Filed

### **DIGEST**

Currently, Texas law grants certain cities the right to annex territory within their extraterritorial jurisdiction in otherwise unincorporated areas, without requiring citizens in the annexed areas to vote on the annexation. This bill requires municipalities with a population over 1.6 million to gain voter approval in both the municipality and in the area in which annexation is proposed. In addition, rejection of such a measure by either entity would prevent the area from being annexed for 10 years.

### **PURPOSE**

As proposed, S.B. 127 requires a municipality, with a population over 1.6 million, to gain voter approval in both the municipality itself and an area to be annexed, in order for the municipality to annex the area.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 43B, Local Government Code, by adding Section 43.0215, as follows:

Sec. 43.0215. VOTER APPROVAL OF ANNEXATION REQUIRED IN CERTAIN MUNICIPALITIES. Provides that this section applies to a municipality with a population of 1.6 million or more. Sets forth requirements regarding the annexation by a municipality of an area for full or limited purposes.

SECTION 2. Amends Chapter 43C, Local Government Code, by adding Sections 43.0541 and 43.0542, as follows:

Sec. 43.0541. ANNEXATIONS BY MUNICIPALITY WITH POPULATION OF MORE THAN 1.5 MILLION. Sets forth provisions regarding the annexation by a municipality with a population of more than 1.5 million of a strip of area following the course of a road, highway, river, stream, creek, or other natural or constructed feature.

Sec. 43.0542. FAILURE OF MUNICIPALITY TO PROVIDE WATER OR SEWER SERVICES. Provides that if a municipality fails to provide water or sewer services to an annexed area before the 10th anniversary following the date of annexation, a municipal ordinance or other municipal regulation has no effect in the annexed area until the services are provided. Provides that Subsection (a) does not permit a municipality to discontinue providing any other municipal service to the annexed area.

SECTION 3. Emergency clause.

Effective date: upon passage.