

BILL ANALYSIS

Senate Research Center

S.B. 1398
By: Lindsay
Intergovernmental Relations
5-5-97
Committee Report (Amended)

DIGEST

Currently, a municipality could annex an area of unincorporated land under certain conditions. This bill would prevent a municipality from annexing an area of unincorporated land without written approval of the commissioners court under certain conditions.

PURPOSE

As proposed, S.B. 1398 sets forth conditions for a commissioners court's approval of certain municipal annexations.

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 43.034, as follows:

Sec. 43.034. COMMISSIONERS COURT APPROVAL OF CERTAIN ANNEXATIONS. Provides that this section applies only to a proposed annexation by a municipality with a population of 1.6 million or more under certain conditions, and does not apply to an annexation if the width of the annexed area is less than 200 feet. Requires the municipality to receive the written approval of the commissioners court of the county in which the area of the proposed annexation and the unincorporated area to be enclosed are located, before a municipality may institute an annexation of an area under this section. Provides that if a commissioners court does not give a municipality approval to annex an area under this section, the municipality is not considered to have refused or failed to annex the area.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

Page 1, line 10, insert after the word "municipality" and before the word "if" the following:
"with a population of 1.6 million or more."