

## **BILL ANALYSIS**

Senate Research Center

H.B. 485  
By: Hill (Madla)  
Intergovernmental Relations  
5/6/1999  
Engrossed

### **DIGEST**

The Texas Legislature has often passed statutes for the purpose of validating certain actions taken by cities regarding the adoption of home rule charters, and incorporation and annexation proceedings, but which specifically exclude validation of any illegal act or any transaction in litigation at the time of passage of the statute. H.B. 485 would establish conditions regarding the presumed validity of a municipal act or proceeding.

### **PURPOSE**

As proposed, H.B. 485 establishes conditions regarding the presumed validity of a municipal act or proceeding.

### **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 51A, Local Government Code, by adding Section 51.003, as follows:

Sec. 51.003. MUNICIPAL ACT OR PROCEEDING PRESUMED VALID. Provides that a governmental act or proceeding of a municipality is conclusively presumed, as of the date it occurred, to be valid and to have occurred in accordance with all applicable statutes and ordinances if certain conditions exist. Sets forth provisions to which this section does not apply.

SECTION 2. Emergency clause.  
Effective date: upon passage.