

BILL ANALYSIS

Senate Research Center
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S.B. 541
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DIGEST AND PURPOSE

Currently, communities in large urban areas have a tendency to grow at a faster pace than their rural counterparts. This faster rate of growth handicaps the efforts of communities to develop accurate consistent master plans for the development of areas within their extraterritorial jurisdiction. This handicap hinders the community's ability to plan for appropriate land use, major thoroughfares, water delivery systems, waste water treatment facilities, parks and schools, and fire and police services. Inconsistent and inappropriate land use contributes to disorderly growth that results in increased costs to developing communities and to the loss of property values to property owners. As proposed, S.B. 541 provides certain communities in urban areas with greater ability to control rapidly developing areas by extending the extraterritorial jurisdiction of a municipality to one mile and providing a remedy if the new jurisdiction results in an overlap of another municipality's jurisdiction by allowing one community to expand into the existing jurisdiction of another community.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 42.021, Local Government Code, as follows:

- (a) Makes a conforming change.
- (b) Provides that the extraterritorial jurisdiction of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located within one mile of those boundaries if the municipality meets certain conditions.

SECTION 2. Amends Chapter 42Z, Local Government Code, by adding Section 42.9011, as follows:

Sec. 42.9011. APPORTIONMENT OF EXTRATERRITORIAL JURISDICTIONS OF CERTAIN MUNICIPALITIES THAT OVERLAPPED ON SEPTEMBER 1, 2001. (a) Authorizes the governing bodies of the affected municipalities, if, on September 1, 2001, the expanded extraterritorial jurisdiction that a municipality received under Section 42.021(b) overlapped the expanded extraterritorial jurisdiction that one or more other municipalities received on that date under Section 42.021(b), to apportion the overlapped area in the same manner as provided by Section 42.901.

- (b) Prohibits the expansion of the extraterritorial jurisdiction of a municipality under Section 42.021(b) from including any area in the existing extraterritorial jurisdiction of another municipality.
- (c) Provides that, in applying Section 42.901(c) for purposes of this section, the date of

September 1, 2001, is substituted for August 23, 1963.

SECTION 3. Effective date: September 1, 2001.