

BILL ANALYSIS

Senate Research Center

H.B. 610
By: Brown, Fred et al. (Hegar)
Intergovernmental Relations
5/18/2007
Committee Report (Amended)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, municipalities are not specifically required to include a list in their service plan detailing the municipal services that they will provide to an area upon annexation. Municipalities are obligated to adhere to their service plan, but by omitting certain services, a municipality may be able to avoid the obligation of providing those services.

H.B. 610 requires municipalities to include a list of all services required by Section 43.056, Local Government Code, to be included in their service plans, and to propose in the service plan a schedule for providing those services.

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 43.056(b), Local Government Code, as follows:

(b) Requires the service plan, which is required to be completed in the period provided by Subsection (a) before the annexation, to include a program under which a municipality will provide full municipal services in the annexed area no later than 2-1/2 years after the effective date of the annexation, in accordance with Subsection (e), and include a list of all services required by this section to be provided under the plan.

Deletes existing text requiring the service plan to include a program under which the municipality will provide full municipal services in the annexed area no later than 2-1/2 years after the effective date of the annexation, in accordance with Subsection (e), unless certain services cannot reasonably be provided within that period and the municipality proposes a schedule for providing those services. Deletes existing text requiring the schedule to provide for the provision of full municipal services no later than 4-1/2 years after the effective date of the annexation if the municipality proposes a schedule to extend the period for providing certain services. Deletes existing text requiring the municipality, if the area was annexed after December 1, 1998, and before September 1, 1999, to provide sewer services in the annexed area as provided by this subsection, except that, no later than five years after the effective date of the annexation, the municipality is prohibited from providing sewer services in the annexed area by means of a package wastewater treatment plant.

SECTION 2. Effective date: upon passage or September 1, 2007.

SUMMARY OF COMMITTEE CHANGES

Committee Amendment No. 1:

Amends H.B. 610 (House engrossment), in SECTION 1 in amended Section 43.056(b), Local Government Code (page 1, lines 12 through 19), by striking the language beginning with "and include a list" and ending with "~~after the effective date of the annexation.~~" and substituting "unless certain services cannot reasonably be provided within that period and the municipality proposes a schedule for providing those services, and must include a list of all services required

by this section to be provided under the plan. If the municipality proposes a schedule to extend the period for providing certain services, the schedule must provide for the provision of full municipal services no later than 4-1/2 years after the effective date of the annexation."

Committee Amendment No. 2:

Amends H.B. 610 (House engrossment), by adding the following section:

Sec. 214.199. EXCEPTION OF MUNICIPALITY FROM ALARM SYSTEM RESPONSE. Prohibits the governing body of a municipality from adopting certain ordinances or policies, rather than just ordinances. Makes conforming changes.