

BILL ANALYSIS

Senate Research Center
82R3849 MXM-F

S.B. 508
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International Trade & Relations
3/4/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2007, the 80th Legislature granted the Town of South Padre Island a five-mile extraterritorial jurisdiction because the town is in an environmentally sensitive part of the state and, being on a barrier island, faces unique challenges to development. The extended jurisdiction has allowed the town to better protect the beach and dune system of southern South Padre Island and to enhance development opportunities that take advantage of the natural resources of the island.

There is concern that the changes made in 2007 may have inadvertently removed the Town of South Padre Island's half-mile extraterritorial jurisdiction into the waters of the Laguna Madre Bay. This ambiguity means that the town has difficulty enforcing its own ordinances to protect the shoreline and boating safety laws.

S.B. 508 would clarify that the Town of South Padre Island retains a half-mile extraterritorial jurisdiction over the water around South Padre Island, and a five-mile extraterritorial jurisdiction on the island itself.

As proposed, S.B. 508 amends current law relating to the extent of extraterritorial jurisdiction of certain less populous municipalities located on a barrier island.

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, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Provides that regardless of Subsection (a) (relating to extraterritorial jurisdiction of a municipality), 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 five miles of those boundaries on a barrier island, or within one-half mile of those boundaries off a barrier island. Makes nonsubstantive changes.

(c) Creates this subsection from existing text. Provides that Subsection (b) applies to a municipality that has a population of 2,000 or more, and territory located entirely on a barrier island in the Gulf of Mexico and within 30 miles of an international border. Makes a nonsubstantive change.

SECTION 2. Effective date: upon passage or September 1, 2011.