

## **BILL ANALYSIS**

Senate Research Center

S.B. 956  
By: Lindsay  
Intergovernmental Relations  
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As Filed

### **DIGEST**

Currently, no state law exists allowing a municipality to contract with service providers in newly annexed areas. Residents of proposed areas to be annexed do not have the option of retaining their own service providers. This bill sets forth provisions for contracting with service providers in newly annexed areas and requires a municipality to hold an election in the area to be annexed on the issue of retaining existing service providers after annexation, if certain conditions are met.

### **PURPOSE**

As proposed, S.B. 956 requires a municipality to hold an election in the area to be annexed on the issue of retaining existing service providers after annexation, if certain conditions are met.

### **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 43C, Local Government Code, by adding Section 43.058, as follows:

Sec. 43.058. PROVISION OF CERTAIN SERVICES IN NEWLY ANNEXED AREA.

(a) Requires a municipality to contract with existing service providers in an area the municipality proposes to annex to continue to provide services for a certain period, if a majority of the voters in the area to be annexed vote to require the municipality to contract with the providers.

(b) Requires an election under Subsection (a) to be held if the county clerk of an area proposed to be annexed receives a petition from at least 10 percent of the registered voters requesting an election. Requires the petition to be filed by the 30th day after the date the municipality prepares a service plan under Section 43.056. Requires the county clerk to determine the validity of the petition under Chapter 277, Election Code by the 30th day after the date the petition is received.

(c) Requires the county clerk, if the clerk determines that a petition is valid or fails to make a determination within the time prescribed by Subsection (b), to certify that fact to the governing body of the municipality and to the commissioners court of the county in which the majority of the area to be annexed is located. Requires the county to order and conduct the election in the area to be annexed, on the first uniform election date occurring 45 days after the date the clerk's certification is received by the governing body and the commissioner's court.

(d) Requires the election ballots to be prepared in a certain manner. Requires the county to base the name of the tract on a name commonly used in the region to identify the tract.

(e) Prohibits the municipality from annexing any portion of the area until the municipality has entered into a 10-year contract with the existing service providers, if more than 50 percent of the votes received in the election approve of the proposition.

(f) Provides that this section does not apply to an annexation of an area if no qualified voters reside in the area.

(g) Requires the municipality to pay for the cost of holding the election.

SECTION 2. Emergency clause.

Effective date: upon passage.