

## **BILL ANALYSIS**

Senate Research Center  
86R2821 SMT-D

S.B. 1132  
By: West  
Intergovernmental Relations  
4/6/2019  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Section 43.0115 of the Local Government Code authorizes certain municipalities to annex enclaves. In this context, enclaves are unincorporated areas, wholly surrounded by a municipality and within the municipality's extraterritorial jurisdiction, in which there are fewer than 100 dwelling units. The municipality must be located wholly or partly in a county in which a majority of the population of two or more municipalities have a population of 300,000 or more.

Dallas County currently has one city with a population of more than 300,000 (City of Dallas). However, the next largest city has a population of approximately 235,000.

Reducing the municipality population requirement for enclave annexation from 300,000 to 225,000 will allow municipalities within Dallas County to utilize the enclave annexation provision.

Enclave annexation procedures are subject to Chapter 43, Subchapter C-1, Local Government Code, and include the following:

- providing written notice to each property owner, public entity, and railroad company in the enclave at least 30 days prior to the first public hearing;
- the municipality must conduct two public hearings with proper notice being provided (newspaper and internet), one of which must be held in the enclave;
- annexation proceedings must be completed within 90 days; and
- the municipality must develop a service plan for the extension of full municipal services to the enclave.

As proposed, S.B. 1132 amends current law relating to the authority of certain municipalities to annex an enclave.

### **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 43.0115(a), Local Government Code, to provide that this section (Authority of Certain Municipalities to Annex Enclaves) applies only to a municipality that is wholly or partly located in a county in which a majority of the population of two or more municipalities, each with a population of 225,000 or more, rather than 300,000 or more, are located, and that proposes to annex a certain area.

SECTION 2. Effective date: upon passage or September 1, 2019.