

BILL ANALYSIS

S.B. 746
By: Campbell
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that recent changes to municipal annexation law created a tier system, effectively ending forced annexation by large municipalities, and provided for a local petition and election procedure by which smaller communities may choose to be afforded the same annexation protections as those of larger communities. S.B. 746 seeks to relax the petition and election requirements in order to afford communities better opportunity to decide on their annexation preference.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 746 amends the Local Government Code to set out the petition and election procedure for a tier 1 county to be considered a tier 2 county for municipal annexation purposes. The bill changes the petition requirement from a petition of a number of registered voters of the county equal to or greater than 10 percent of the registered voters of the county to a petition containing the signatures of at least seven percent of the registered voters of the county and changes the voter approval threshold by which the tier 1 county is considered a tier 2 county from a majority of the registered voters of the county to a majority of the votes cast.

S.B. 746 extends the period during which a tier 2 municipality is prohibited from annexing an area and from adopting another resolution to annex the area after failure to obtain the required number of signatures on a petition to annex the area or failure to obtain voter approval of the proposed annexation, as applicable, from the first anniversary of the date the petition period ended or of the date of the adoption of the annexation resolution to the fifth anniversary of such dates, respectively. The bill specifies that the prohibition on the annexation of such an area applies to any part of the area.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.