

## **BILL ANALYSIS**

Senate Research Center  
83R10602 JTS-D

S.B. 1596  
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Intergovernmental Relations  
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As Filed

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

Currently cities can annex portions of emergency service districts (ESD) without notifying or developing a plan for revenue compensation or determining a plan for services rendered by ESDs in annexed portions.

This bill requires annexations to not reduce services to the annexed area. In the case in which an ESD is in place, it will still allow the annexation and the city can still extend full services, but the city will then have to consider augmenting those services with the ESD so as not to reduce services to the residents or property owners.

This bill requires a city to either provide the services paid for by the annexed area, which was the intent of the legislature up until 1999, or if the ESD was to diminish services, they could decide to leave the ESD in place.

As proposed, S.B. 1596 amends current law relating to the annexation by a municipality of territory of an emergency services district.

### **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 Sections 775.022(a) and (c), Health and Safety Code, as follows:

(a) Requires a municipality, if the municipality completes all other procedures necessary to annex territory in an emergency services district created under this chapter (district) and if the municipality intends to remove the territory from the district and be the sole provider of emergency services to the territory, rather than if the municipality intends to provide emergency services to the territory, by the use of municipal personnel or by some method other than by use of the district, to send written notice of those facts to the board of emergency services commissioners. Provides that this subsection does not require a municipality to remove from a district territory the municipality has annexed. Makes a nonsubstantive change to this section.

(c) Requires a municipality, if the municipality removes territory from a district that the municipality has annexed, rather than if the municipality annexes territory in a district, to compensate the district immediately after disannexation of the territory under Subsection (a) in a certain amount.

SECTION 2. Amends Section 43.056, Local Government Code, by amending Subsection (f) and adding Subsection (p), as follows:

(f) Prohibits a service plan from taking certain actions, including providing services in the area in a manner that would have the effect of reducing by more than a negligible amount the level of fire and police protection and emergency medical services provided

within the area, rather than within the corporate boundaries of the municipality before annexation.

(p) Authorizes an annexation plan that includes the annexation of territory of an emergency services district to provide that the required fire and police protection and emergency medical services in the area of the district be provided by the emergency services district or by cooperation of the municipality and the district.

SECTION 3. Effective date: September 1, 2013.