CHAPTER 1363

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AN ACT

2 relating to emergency services districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Subsections (a) and (c), Section 775.022, Health 5 and Safety Code, are amended to read as follows:

6 (a) If a municipality completes all other procedures necessary to annex territory in a district and if the municipality 7 8 intends to remove the territory from the district and be the sole 9 provider of [provide] emergency services to the territory by the 10 use of municipal personnel or by some method other than by use of 11 the district, the municipality shall send written notice of those 12 facts [that fact] to the board. The municipality must send the notice to the secretary of the board by certified mail, return 13 receipt requested. The territory remains part of the district and 14 does not become part of the municipality until the secretary of the 15 board receives the notice. On receipt of the notice, the board 16 shall immediately change its records to show that the territory has 17 been disannexed from the district and shall cease to provide 18 19 further services to the residents of that territory. <u>This</u> 20 subsection does not require a municipality to remove from a 21 district territory the municipality has annexed.

(c) If a municipality <u>removes</u> [annexes] territory <u>from</u> [in]
a district <u>that the municipality has annexed</u>, the municipality
shall compensate the district immediately after disannexation of

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the territory under Subsection (a) in an amount equal to the annexed territory's pro rata share of the district's bonded and other indebtedness as computed according to the formula in Subsection (e). The district shall apply compensation received from a municipality under this subsection exclusively to the payment of the annexed territory's pro rata share of the district's bonded and other indebtedness.

8 SECTION 2. Subchapter C, Chapter 775, Health and Safety 9 Code, is amended by adding Section 775.045 to read as follows:

10Sec. 775.045. APPLICABILITY OF CERTAIN LAWS. (a) Except11as provided by Subsection (b), notwithstanding any other law:

12 (1) Section 1301.551(i), Occupations Code, applies to
13 a district as if the district were a municipality; and

14 (2) Section 233.062, Local Government Code, applies to 15 <u>a district as if the district were in an unincorporated area of a</u> 16 <u>county.</u>

17 (b) Subsection (a) does not apply to a district:

18 (1) that before February 1, 2013, has adopted a fire 19 code, fire code amendments, or other requirements in conflict with 20 <u>Subsection (a); and</u>

(2) whose territory is located:

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(A) in or adjacent to a general law municipality with a population of less than 4,000 that is served by a water control and improvement district governed by Chapter 51, Water Code; and

26 (B) in a county that has a population of more than 27 one million and is adjacent to a county with a population of more

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Are

1 <u>than 420,000.</u>

2 SECTION 3. Section 43.056, Local Government Code, is 3 amended by amending Subsection (f) and adding Subsections (p) and 4 (q) to read as follows:

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(f) A service plan may not:

6 (1) require the creation of another political 7 subdivision;

8 (2) require a landowner in the area to fund the capital 9 improvements necessary to provide municipal services in a manner 10 inconsistent with Chapter 395 unless otherwise agreed to by the 11 landowner; [or]

(3) provide 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 corporate boundaries of the municipality before annexation;

17 (4) provide services in the area in a manner that would 18 have the effect of reducing by more than a negligible amount the 19 level of fire and police protection and emergency medical services 20 provided within the area before annexation; or

21 (5) cause a reduction in fire and police protection 22 and emergency medical services within the area to be annexed below 23 that of areas within the corporate boundaries of the municipality 24 with similar topography, land use, and population density.

(p) This subsection applies only to a municipality in a
county with a population of more than one million and less than 1.5
million. For a municipality that has adopted Chapter 143 and

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<u>S.B. No. 1596</u>

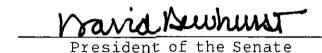
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1	directly employs firefighters, a service plan that includes the
2	provision of services to an area that, at the time the service plan
3	is adopted, is located in the territory of an emergency services
4	<u>district:</u>
5	(1) must require the municipality's fire department to
6	provide initial response to the annexed territory that is
7	equivalent to that provided to other areas within the corporate
8	boundaries of the municipality with similar topography, land use,
9	and population density;
10	(2) may not provide for municipal fire services to the
11	annexed area solely or primarily by means of an automatic aid or
12	mutual aid agreement with the affected emergency services district
13	or other third-party provider of services; and
14	(3) may authorize the emergency services district to
15	provide supplemental fire and emergency medical services to the
16	annexed area by means of an automatic aid or mutual aid agreement.
17	(q) This chapter does not affect the obligation of a
18	municipality that has adopted Chapter 143 to provide police, fire,
19	or emergency medical services within the municipality's corporate
20	boundaries by means of personnel classified in accordance with that
21	chapter.
22	SECTION 4. This Act takes effect September 1, 2013.

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Speaker of the House

<u>I hereby certify</u> that S.B. No 596 passed the Senate on April 25, 2013, by the following vote: Yeas 30, Nays 0; May 24, 2013, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 25, 2013, House granted request of the Senate; May 26, 2013, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 1.

Secreta enate

<u>I hereby certify</u> that S.B. No. 1596 passed the House, with amendments, on May 20, 2013, by the following vote: Yeas 139, Nays O, two present not voting; May 25, 2013, House granted request of the Senate for appointment of Conference Committee; May 26, 2013, House adopted Conference Committee Report by the following vote: Yeas 147, Nays 1, one present not voting.

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Chief

Approved:



FILED IN THE OFFICE OF THE SECRETARY OF STATE 10pm___O'CLOCK

