

Chapter 1052

H.B. No. 1949

1 AN ACT

2 relating to the annexation of certain roads and areas adjacent to
3 those roads.

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

5 SECTION 1. Section 43.028, Local Government Code, is
6 amended by adding Subsections (g) and (h) to read as follows:

7 (g) An area of land that would be eligible for annexation
8 under this section except that the area does not meet the contiguity
9 requirement of Subsection (a)(2) may be annexed under this section
10 if a public right-of-way of a road or highway designated by the
11 municipality exists that:

12 (1) is located entirely in the extraterritorial
13 jurisdiction of the municipality; and

14 (2) when added to the area would cause the area to be
15 contiguous to the municipality.

16 (h) Notwithstanding Section 43.054, on annexation of an
17 area described by Subsection (g), the public right-of-way that
18 makes the area eligible for annexation under Subsection (g) is
19 included in the annexation to the municipality without regard to
20 whether the owners of the public right-of-way sought annexation
21 under this section. The ordinance providing for annexation must
22 provide a metes and bounds description of the public right-of-way
23 annexed under this subsection.

24 SECTION 2. Section 43.106, Local Government Code, is

1 amended to read as follows:

2 Sec. 43.106. ANNEXATION OF COUNTY ROADS REQUIRED IN CERTAIN
3 CIRCUMSTANCES. (a) A municipality that proposes to annex any
4 portion of a [paved] county road or territory that abuts a county
5 road must also annex the entire width of the county road and the
6 adjacent right-of-way on both sides of the county road.

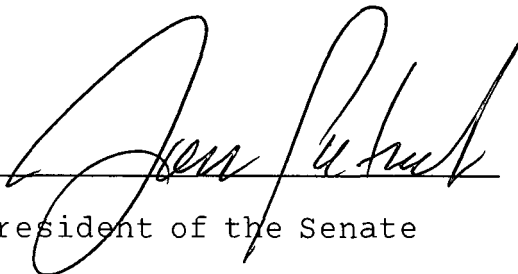
7 (b) If a road annexed under Subsection (a) is a gravel road,
8 the county retains control of granting access to the road and its
9 right-of-way from property that:

10 (1) is not located in the boundaries of the annexing
11 municipality; and


12 (2) is adjacent to the road and right-of-way.

13 SECTION 3. Section 43.106, Local Government Code, as
14 amended by this Act, applies to an area proposed for annexation on
15 or after the effective date of this Act or before the effective date
16 of this Act if the statutory requirements for annexation under
17 Subchapter C or C-1, Chapter 43, Local Government Code, have not
18 been completed before the effective date of this Act.

19 SECTION 4. This Act takes effect September 1, 2015.

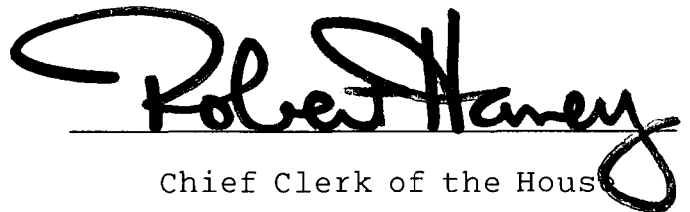


President of the Senate



Speaker of the House

I certify that H.B. No. 1949 was passed by the House on May 8, 2015, by the following vote: Yeas 142, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1949 on May 29, 2015, by the following vote: Yeas 140, Nays 1, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 1949 was passed by the Senate, with amendments, on May 27, 2015, by the following vote: Yeas 29, Nays 2.



Secretary of the Senate

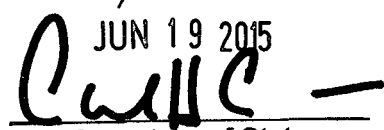
APPROVED: 6-13-2015
Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

6:30 pm O'CLOCK

JUN 19 2015


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 28, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1949 by Springer (Relating to the annexation of county roads.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code requiring a municipality that proposes to annex a certain area must also annex the entire width of county road and the adjacent right-of-way on both sides of the road. Under the provisions of the bill, if the road annexed is a gravel road, the county would retain control of granting access to the road and its right-of-way from certain property. The bill would permit certain areas of land that do not meet the contingency requirement as put forth by provisions of the bill to be annexed if certain conditions exist.

Local Government Impact

There could be costs with the maintenance of the additional territory annexed under the bill. However, these costs are not anticipated to be significant.

Source Agencies:

LBB Staff: UP, KVe, SZ, SD, EK

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 14, 2015

TO: Honorable Eddie Lucio Jr., Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1949 by Springer (Relating to the annexation of county roads.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code requiring a municipality that proposes to annex a certain area must also annex the entire width of county road and the adjacent right-of-way on both sides of the road. Under the provisions of the bill, if the road annexed is a gravel road, the county would retain control of granting access to the road and its right-of-way from certain property.

Local Government Impact

There could be costs with the maintenance of the additional territory annexed under the bill. However, these costs are not anticipated to be significant.

Source Agencies:

LBB Staff: UP, KVe, SZ, SD, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 28, 2015

TO: Honorable Joe Deshotel, Chair, House Committee on Land & Resource Management

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1949 by Springer (relating to the annexation of county roads.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code requiring a municipality that proposes to annex a certain area must also annex the entire width of county road and the adjacent right-of-way on both sides of the road. Under the provisions of the bill, if the road annexed is a gravel road, the county would retain control of granting access to the road and its right-of-way from certain property.

Local Government Impact

There could be costs with the maintenance of the additional territory annexed under the bill. However, these costs are not anticipated to be significant.

Source Agencies:

LBB Staff: UP, SZ, SD, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 19, 2015

TO: Honorable Joe Deshotel, Chair, House Committee on Land & Resource Management

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1949 by Springer (Relating to the annexation of county roads.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code requiring a municipality that proposes to annex a certain area must also annex the entire width of county road and the adjacent right-of-way on both sides of the road.

Local Government Impact

There could be costs with the maintenance of the additional territory annexed under the bill. However, these costs are not anticipated to be significant.

Source Agencies:

LBB Staff: UP, SZ, SD, EK