

- SUBJECT:** Requiring elections for municipal disannexation of certain areas
- COMMITTEE:** Land & Resource Management — committee substitute recommended
- VOTE:** 9 ayes — Burns, Rogers, C. Bell, K. Bell, Buckley, Ortega, Reynolds, Schofield, Sherman
- 0 nays
- WITNESSES:** For — Ryan Brannan, Save Lost Creek; James Quintero, Texas Public Policy Foundation (*Registered, but did not testify*: J.D. Hale, Scott Norman, Texas Association of Builders; Gray Rutledge, Texas Conservative Coalition; Blake Roach, Texas Farm Bureau; and 6 individuals)
- Against — Juan Ayala, City of San Antonio (*Registered, but did not testify*: Joe Hamill, AFSCME Local 1624 Austin/Travis County; Priscilla Rosales-Pina, American Planning Association; Brie Franco, City of Austin; Guadalupe Cuellar, City of El Paso; TJ Patterson, City of Fort Worth; Angela Hale, City of McKinney; Nadia Islam, City of San Antonio; David Miller, City of Springtown; Rick Ramirez, City of Sugar Land; Bill Longley, Monty Wynn, Texas Municipal League; Wendy Herman, The City of Corpus Christi; Julie Wheeler, Travis County Commissioners Court)
- BACKGROUND:** In 2017, the 85th Legislature prohibited large municipalities from involuntarily annexing areas within their extraterritorial jurisdictions. Concerns have been raised that some municipalities quickly annexed areas between the proposal of the law and its enactment to avoid reforms.
- DIGEST:** CSHB 3053 would require a municipality with a population of at least 500,000 that had annexed an area by ordinance between March 2, 2015, and December 1, 2017 to hold an election in the area on the question of disannexing the area from the municipality.

The bill would prohibit the municipality from using public money on

promotional campaigns or advocacy related to the election and would specify certain information that would have to be included in the ballot proposition for the election.

If the voters approved the disannexation, the municipality would be required to disannex the area, including residential and commercial property. The municipality would retain ownership of any infrastructure it had received from a special district as part of the annexation of the disannexed area.

Following disannexation, a special district located in and serving the area could be dissolved only if the district's governing body elected to do so and, following disannexation, an emergency services district located in or adjacent to the area would provide services to the area.

A disannexation under the bill would not authorize impairment of a municipal debt obligation, and the municipality would continue to impose a property tax on the area at the same rate that was imposed on other property in the municipality until the taxes collected from the area had paid for its share of the debt.

CSHB 3053 would not apply to a municipality whose extraterritorial jurisdiction was adjacent to or included all or part of a federal military installation in active use as of May 1, 2023.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.