

Municipal Annexation in Texas: Is it Really that Complicated?

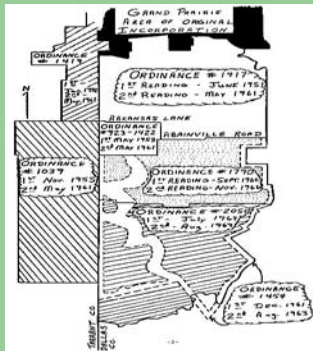
Scott Houston
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How did we get where we are now?

- 1836 – Special law cities
- 1858 – General law cities
- 1912 – Home rule cities
- 1963 – Municipal Annexation Act
- 1999 – Senate Bill 89

The Three Questions



- Why?
- Authority?
- Procedures?

Why? Control Development

- Who decides what your city will look like?

Why? Money and IGR in Texas

- **NOT a property rights issue**
- **IS a money and IGR issue**
 - City services
 - State funding
 - Annexation power in lieu of state funding
- **Election Bills 2005 and 2007/Arizona example**
- **Perryman Group Study**

Annexation Authority

- **Home Rule Cities**
 - Local Government Code
 - Charter Provisions
- **General Law Cities**
 - Local Government Code
 - Unilateral / Petition
- **ETJ**
- **Authority v. Procedures**

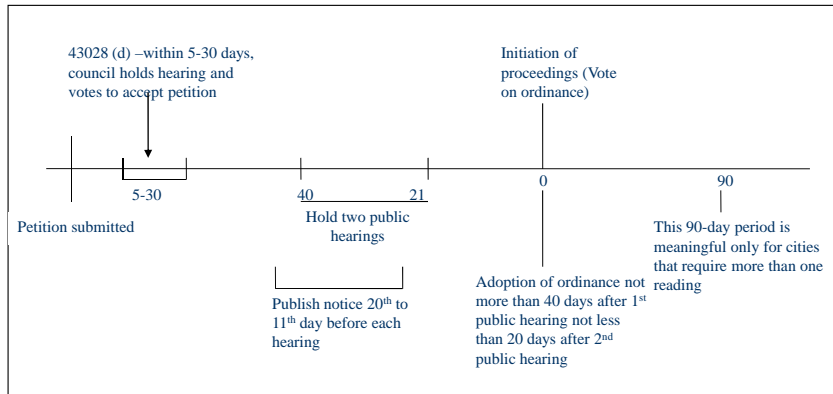
Procedures – Annexation Plan

- **Every city should adopt**
 - Type of area that must be included in plan
 - Exemptions
- **Notice of inclusion – Web site posting**
- **Penalty for removal from plan**

Procedures – Exempt

- **Non-annexation agreement**
- **Subchapter C-1**
 - Service plan
 - Notice and two public hearings
 - Ordinance adoption

Procedures – Exempt



Procedures – Plan (3 Year Process)

- **Non-annexation agreement**
- **Subchapter C**
 - Inventory
 - Preliminary service plan
 - Notice and two public hearings
 - Negotiations/Arbitration
 - Ordinance Adoption

Post-Annexation Procedures

- Preclearance
- Secretary of State
- Comptroller
- County Clerk/Appraisal District
- Map

Miscellaneous Issues

- Validation/presumed consent
- Challenges
- City motives
- Prior Use
- Example Documents

**Comprehensive Paper Available at:
www.tml.org**

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