

Municipal Annexation in Texas: *Is it Really that Complicated?*

Scott Houston
General Counsel
Texas Municipal League



What we'll Learn

- How we got where we are now
- The three questions
- Miscellaneous issues



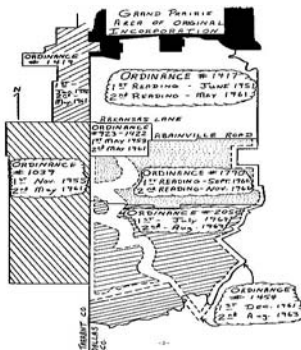
How did we get where we are now?

- 1836 – Special law cities
- 1858 – General law cities
- 1912 – Home rule cities
- 1963 – Municipal Annexation Act
- 1999 – Senate Bill 89
- 2007 – Non-annexation offers



The Three Questions

- Why?
- Authority?
- Procedures?



Why? Control Development

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
 - “Reverse Intergovernmental Aid”
- **Election Bills 2005, 2007, and 2011**
- **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**
- **Non-annexation offer**



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**

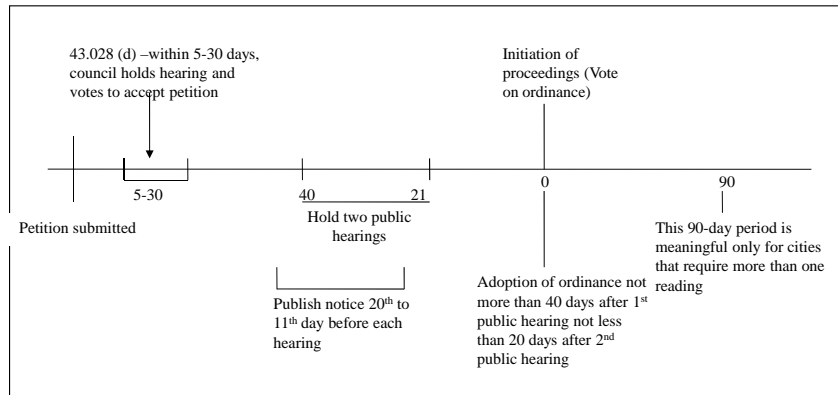


Procedures – Exempt

- **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



Miscellaneous Issues

- Challenges
 - Targeted legislation
 - Quo warranto
- Provision of services
- Post annexation notices



Comprehensive paper available at:
www.tml.org

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