

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

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# What we'll Learn

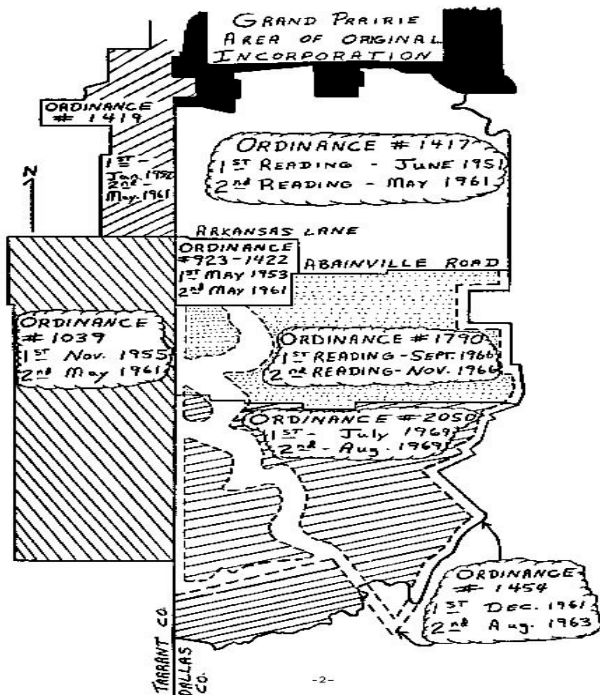
- How we got where we are now
- The three questions
- Miscellaneous issues

# 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, 2011, and 2015**
- **Perryman Group Study – New 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

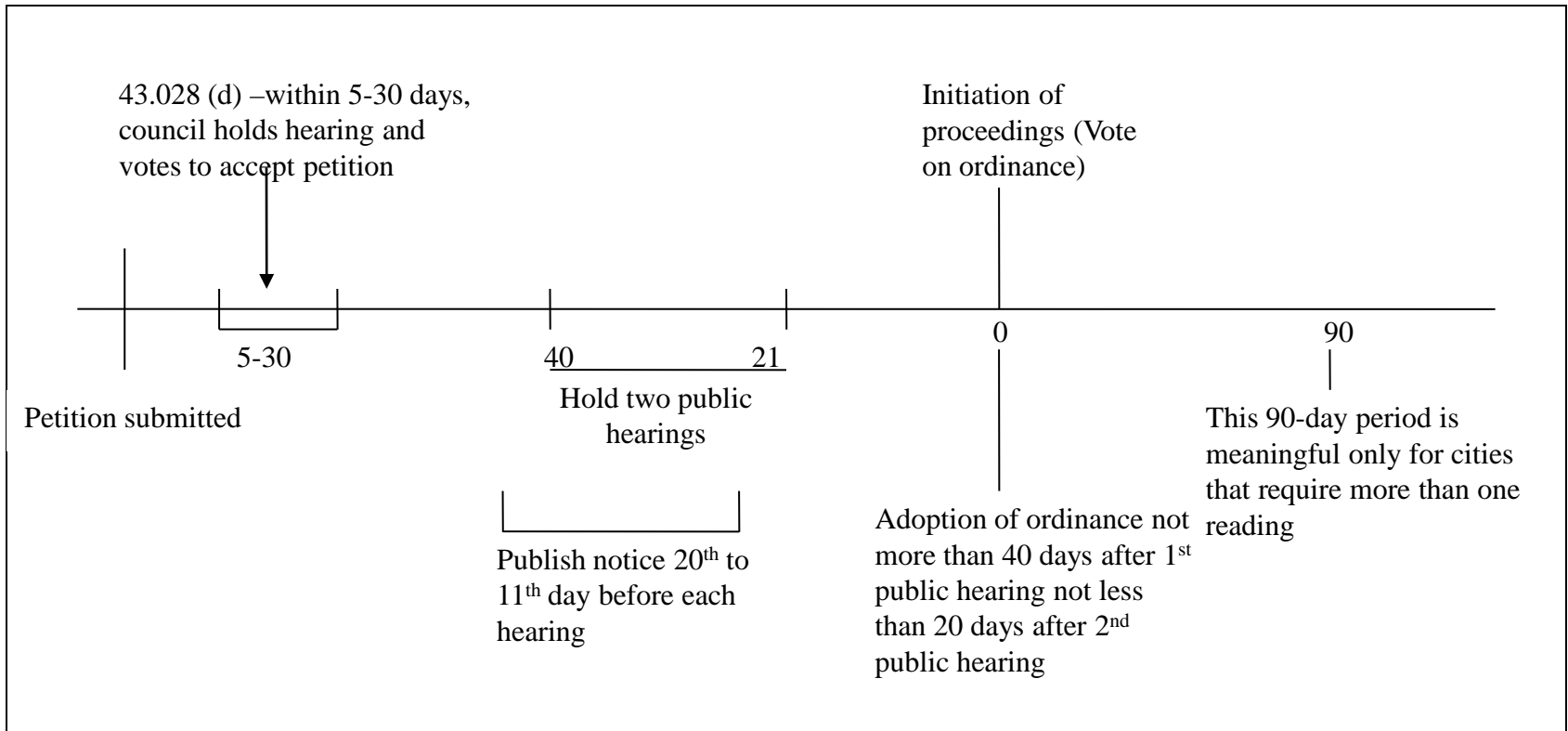
- **Every city should adopt**
  - Type of area that must be included in plan
  - Exemptions
- **Notice of inclusion – Web site posting**
- **Penalty for removal from plan**

# 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](http://www.tml.org)

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