

1-1 By: Seliger S.B. No. 374
1-2 (In the Senate - Filed January 21, 2021; March 9, 2021, read
1-3 first time and referred to Committee on Transportation;
1-4 March 25, 2021, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 25, 2021,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Nichols</u>	X		
1-10	<u>Seliger</u>	X		
1-11	<u>Alvarado</u>	X		
1-12	<u>Blanco</u>	X		
1-13	<u>Hancock</u>	X		
1-14	<u>Hinojosa</u>	X		
1-15	<u>Kolkhorst</u>	X		
1-16	<u>Perry</u>	X		
1-17	<u>West</u>	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 374 By: Seliger

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to municipal annexation of certain rights-of-way.
1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-23 SECTION 1. Section 43.1055, Local Government Code, is
1-24 amended to read as follows:
1-25 Sec. 43.1055. ANNEXATION OF ROAD [ROADS AND] RIGHTS-OF-WAY
1-26 ON REQUEST OF OWNER OR MAINTAINING POLITICAL SUBDIVISION.
1-27 Notwithstanding any other law, a municipality may by ordinance
1-28 annex a road [or the] right-of-way [of a road] on request of the
1-29 owner of the [road or] right-of-way or the governing body of the
1-30 political subdivision that maintains the [road or] right-of-way
1-31 under the procedures prescribed by Subchapter C-1.
1-32 SECTION 2. Subchapter E, Chapter 43, Local Government Code,
1-33 is amended by adding Section 43.1056 to read as follows:
1-34 Sec. 43.1056. ANNEXATION OF CONTIGUOUS OR CONNECTING
1-35 RIGHTS-OF-WAY. (a) Notwithstanding any other law, a municipality
1-36 that is annexing an area under Subchapter C-3, C-4, C-5, or D may
1-37 also annex with the area:
1-38 (1) the right-of-way of a street, highway, alley, or
1-39 other public way or of a railway line, spur, or roadbed, that is:
1-40 (A) contiguous and runs parallel to the
1-41 municipality's boundaries; and
1-42 (B) contiguous to the area being annexed under
1-43 Subchapter C-3, C-4, C-5, or D or a right-of-way described by
1-44 Subdivision (2); or
1-45 (2) the right-of-way of a public road or highway
1-46 connecting the area being annexed under Subchapter C-3, C-4, C-5,
1-47 or D to the municipality by the most direct route.
1-48 (b) A municipality may annex a right-of-way under this
1-49 section only if:
1-50 (1) the municipality provides written notice of the
1-51 annexation to the owner of the right-of-way, through the owner's
1-52 registered agent, if applicable, not later than the 61st day before
1-53 the date of the proposed annexation; and
1-54 (2) the owner of the right-of-way does not submit a
1-55 written objection to the municipality before the date of the
1-56 proposed annexation.
1-57 (c) If the owner of a right-of-way proposed to be annexed
1-58 under this section is a governmental entity, the entity may specify
1-59 the location at which a municipality must deliver notice under
1-60 Subsection (b).

2-1 (d) Section [43.054](#) does not apply to the annexation of a
2-2 right-of-way under this section.

2-3 SECTION 3. This Act takes effect immediately if it receives
2-4 a vote of two-thirds of all the members elected to each house, as
2-5 provided by Section [39](#), Article III, Texas Constitution. If this
2-6 Act does not receive the vote necessary for immediate effect, this
2-7 Act takes effect September 1, 2021.

2-8

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