

1-1 By: Bettencourt S.B. No. 2523
1-2 (In the Senate - Filed March 13, 2025; April 3, 2025, read
1-3 first time and referred to Committee on Local Government;
1-4 April 30, 2025, reported favorably by the following vote: Yeas 5,
1-5 Nays 1; April 30, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7		Yea	Nay	Absent	PNV
1-8	Bettencourt	X			
1-9	Middleton	X			
1-10	Cook	X			
1-11	Gutierrez			X	
1-12	Nichols	X			
1-13	Paxton	X			
1-14	West		X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the release of an area from the extraterritorial
1-18 jurisdiction of a municipality by petition.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 42.023, Local Government Code, is
1-21 amended to read as follows:

1-22 Sec. 42.023. REDUCTION OF EXTRATERRITORIAL JURISDICTION.
1-23 The extraterritorial jurisdiction of a municipality may not be
1-24 reduced unless the governing body of the municipality gives its
1-25 written consent by ordinance or resolution, except:

1-26 (1) in cases of judicial apportionment of overlapping
1-27 extraterritorial jurisdictions under Section 42.901;

1-28 (2) in accordance with an agreement under Section
1-29 42.022(d); ~~or~~

1-30 (3) as necessary to comply with Section 42.0235; or

1-31 (4) as necessary to comply with Subchapter D or E.

1-32 SECTION 2. Section 42.102, Local Government Code, is
1-33 amended to read as follows:

1-34 Sec. 42.102. AUTHORITY TO FILE PETITION FOR RELEASE. (a) A
1-35 resident of an area in a municipality's extraterritorial
1-36 jurisdiction may file a petition with the municipality in
1-37 accordance with this subchapter for the area to be released from the
1-38 extraterritorial jurisdiction. A resident may only file for
1-39 release of an area if the resident resides in the area subject to
1-40 the release.

1-41 (b) The owner or owners of the majority in value of an area
1-42 consisting of one or more parcels of land in a municipality's
1-43 extraterritorial jurisdiction may file a petition with the
1-44 municipality in accordance with this subchapter for the area to be
1-45 released from the extraterritorial jurisdiction. An area that is
1-46 the subject of the petition may only include parcels for which the
1-47 owner or owners have an ownership interest.

1-48 SECTION 3. Section 42.104(a), Local Government Code, is
1-49 amended to read as follows:

1-50 (a) A petition requesting release under this subchapter
1-51 must be signed by:

1-52 (1) more than 50 percent of the registered voters of
1-53 the area described by the petition as of the date of the preceding
1-54 uniform election date; or

1-55 (2) a majority in value of the holders of title of land
1-56 in the area described by the petition, based on the aggregated
1-57 appraised value of all real property located in the area as
1-58 indicated by the most recent appraisal roll submitted to the
1-59 municipality under Chapter 26, Tax Code ~~[tax rolls of the~~
1-60 ~~applicable central appraisal district]~~.

1-61 SECTION 4. Section 42.105, Local Government Code, is

2-1 amended by amending Subsection (b) and adding Subsection (b-1) to
2-2 read as follows:

2-3 (b) The municipality shall notify the residents and
2-4 landowners of the area described by the petition that the
2-5 municipality has received the petition. The municipality shall
2-6 provide the notice required by this subsection not later than the
2-7 seventh business day after the date the municipality receives the
2-8 petition.

2-9 (b-1) The municipality shall notify the residents and
2-10 landowners of the area described by the petition of the results of
2-11 the petition. The municipality may satisfy the requirement of this
2-12 subsection [this requirement] by notifying the person who filed the
2-13 petition under Section 42.102.

2-14 SECTION 5. Subchapter D, Chapter 42, Local Government Code,
2-15 is amended by adding Section 42.106 to read as follows:

2-16 Sec. 42.106. OPT OUT OF REMOVAL. Before an area is released
2-17 from a municipality's extraterritorial jurisdiction under this
2-18 subchapter, a landowner in the area to be released must be permitted
2-19 to opt their property out of the release.

2-20 SECTION 6. This Act takes effect September 1, 2025.

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