

1-1 By: Creighton S.B. No. 2965
1-2 (In the Senate - Filed March 14, 2025; April 7, 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 6,
1-5 Nays 0; April 30, 2025, sent to printer.)

1-6 COMMITTEE VOTE

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

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

1-17 relating to territory in an emergency services district that is
1-18 annexed by a municipality.

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

1-20 SECTION 1. Section 775.022, Health and Safety Code, is
1-21 amended by amending Subsection (a) and adding Subsection (a-1) to
1-22 read as follows:

1-23 (a) If a municipality completes all other procedures
1-24 necessary to annex territory in a district, including the
1-25 preparation of a service plan if required by Section 43.056, Local
1-26 Government Code, ~~and if~~ the municipality intends to remove the
1-27 territory from the district, and the municipality is capable at the
1-28 time of the removal of being ~~be~~ the sole provider of emergency
1-29 services to the territory by the use of municipal personnel or by
1-30 some method other than by use of the district, the municipality
1-31 shall send written notice of those facts, and the completed service
1-32 plan, if applicable, to the board not later than the 30th day after
1-33 completing the necessary procedures. The municipality must send
1-34 the notice to the secretary of the board by certified mail, return
1-35 receipt requested. The territory remains part of the district and
1-36 does not become part of the municipality until the secretary of the
1-37 board receives the notice and the board by resolution disannexes
1-38 the territory from the district. If the board determines that the
1-39 municipal services planned to be provided in the territory will not
1-40 meet or exceed the level of service provided by the district in the
1-41 territory, the board shall adopt that determination in a resolution
1-42 and may not by resolution disannex the territory from the district.
1-43 If the board determines that municipal services planned to be
1-44 provided in the territory will meet or exceed the level of service
1-45 provided by the district in the territory at the time of
1-46 disannexation ~~[On receipt of the notice]~~, the board shall by
1-47 resolution disannex the territory from the district, notify the
1-48 appraisal district to ~~[immediately]~~ change its records to show that
1-49 the territory has been disannexed from the district, and ~~[shall]~~
1-50 cease to provide further services to the residents of that
1-51 territory. This subsection does not require a municipality to
1-52 remove from a district territory the municipality has annexed. For
1-53 the purposes of this subsection, "level of service" for fire and
1-54 emergency medical protection means the location, deployment, and
1-55 response time of fire suppression or medical resources originally
1-56 dispatched to a structural or wildland fire or emergency medical
1-57 incident.

1-58 (a-1) A board is considered to have approved a disannexation
1-59 of territory under Subsection (a) if the board fails to provide to
1-60 the municipality a resolution disapproving or approving the
1-61 disannexation before the 30th day after the date the board receives

2-1 the notice under Subsection (a) from the municipality.
2-2 SECTION 2. This Act takes effect September 1, 2025.

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