

BILL ANALYSIS

H.B. 4275
By: Rogers
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There is a need to ensure that when a municipality annexes territory in an emergency services district the same quality of emergency services are provided in the annexed territory as were provided before the annexation. H.B. 4275 seeks to address this need by providing for a process by which approval of certain annexations is based on a determination of whether municipal services planned to be provided in the annexed territory will meet or exceed the level of service provided by a district in that territory.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4275 amends the Health and Safety Code to set the deadline by which a municipality that completes all other procedures necessary to annex territory in an emergency services district and that intends to remove the territory from the district and be the sole provider of emergency services to the territory by a method other than by use of the district is required to send written notice of those facts to the board of emergency services commissioners at not later than the 30th day after completing the necessary procedures. The bill specifies that those procedures include the preparation of an annexation service plan, if required by applicable statutory provisions, and requires the municipality to send the completed service plan, if applicable, to the board by such deadline.

H.B. 4275 requires the board, if an annexation service plan is required for the annexation and not later than the 30th day after the date the board receives the notice, to determine whether the plan is sufficient to ensure that municipal services planned to be provided in the annexed territory will meet or exceed the level of service provided by the district in that territory. The bill requires the board, if it determines that municipal services planned to be provided in the annexed territory will meet or exceed the level of service provided by the district in that territory, to adopt an order disannexing the territory from the district, notify the appraisal district to change its records to show that the territory has been disannexed, and cease to provide further services to that territory's residents. The bill prohibits the board, if it determines that the municipal services planned to be provided in the annexed territory will not meet or exceed the level of service provided by the district in that territory, from adopting an order disannexing the territory from the district. The bill specifies that for purposes of these provisions level of service for fire

protection means the location, deployment, and response time of fire suppression resources originally dispatched to a structural or wildland fire.

H.B. 4275 requires the municipality, after territory is disannexed from a district by a municipality and if the district or a service provider that contracts with the district is dispatched or requested to provide services in the territory and the services are not part of or are in excess of a mutual aid agreement between the municipality and the district, to compensate the district for the cost of services provided in an amount determined by the district not later than the 30th day after the date on which the district provides the municipality a request for payment. Such a payment is subject to applicable general government statutory provisions relating to payments, interest, and attorney fees.

EFFECTIVE DATE

September 1, 2023.