

House Bill 347

- **This is where we are...**
- **Essentially no more unilateral annexation**
- **No more “Tiers”**
- **Forget everything you knew or thought you knew – all that’s left:**
 1. **“Consent-exempt” annexations**
 2. **“Consent” annexations**
 3. **“Grandfathered” annexations**

1

Consent-Exempt Annexations

1. Section 43.0115 (Enclave – Fort Worth ONLY);
2. Section 43.0116 (Industrial District);
3. Section 43.012 (Area Owned by Type-A Municipality);
4. Section 43.013 (Navigable Stream);
5. Section 43.0751(h) (Strategic Partnership);
6. Section 43.101 (Municipally Owned Reservoir);
7. Section 43.102 (Municipally Owned Airport); and
8. Section 43.1055 (Road and Right-of-Way).

2

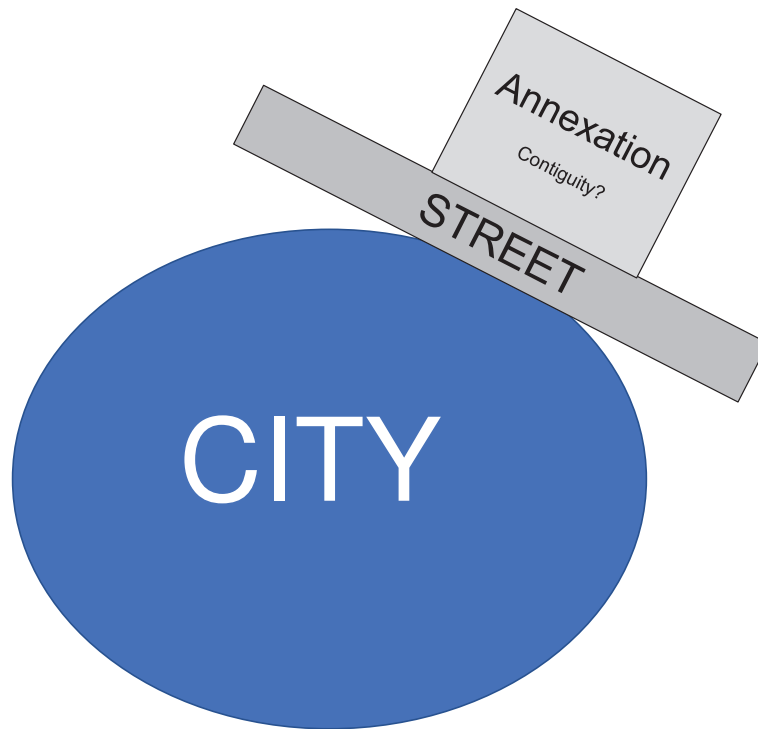
Consent-Exempt Annexations

- Use Subchapter C-1 procedures
- BUT see Section 43.0505, which provides that the provisions in Subchapter C apply only to an annexation under Subchapter C-1.

Special Issues – Road Issue

No more home rule unilateral authority (home rule) and no more boundary road authority (general law) – in their place:

Sec. 43.1055. ANNEXATION OF ROADS AND RIGHTS-OF-WAY. Notwithstanding any other law, a municipality may by ordinance annex a road or the right-of-way of a road on request of the owner of the road or right-of-way or the governing body of the political subdivision that maintains the road or right-of-way under the procedures prescribed by Subchapter C-1.



5

Consent Annexations

- **Authority and procedures combined into one of Three schemes:**
 1. **Petition of individual landowner**
 2. **Area with less than 200 population petition process**
 3. **Area with 200 or more population election process**

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: House Bill 347

Also available as part of the eCourse

[2020 Land Use eConference](#)

First appeared as part of the conference materials for the

24th Annual Land Use Conference session

"Mother May I?: Annexation after HB 347 "