

BILL ANALYSIS

Senate Research Center
76R5343 CMR-D

S.B. 1442
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As Filed

DIGEST

Currently, under Texas law, it is unclear how an area opts out of an emergency services district. Some municipalities in an emergency services district are not contiguous to the district and might be better served by being able to remove their territory from the district and contract with another municipality for emergency services. This bill would provide for the removal of certain municipalities surrounded by larger cities to withdraw from emergency services districts in order to contract with another emergency service district.

PURPOSE

As proposed, S.B. 1442 authorizes certain municipalities surrounded by larger cities to withdraw from emergency services districts in order to contract with another emergency service district.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 775B, Health and Safety Code, by adding Section 775.0235, as follows:

Sec. 775.0235. REMOVAL OF CERTAIN TERRITORY ON REQUEST OF MUNICIPALITY. Requires the board of emergency services commissioners (board) to remove territory from an emergency services district (district) on request of a municipality if the territory meets certain criteria. Requires the board, on request of the municipality, to immediately disannex the territory from the district and cease to provide further services to the residents of that territory. Requires the board to immediately disannex all territory in the district that is included in the municipality's extraterritorial jurisdiction and cease to provide further services to the residents of such additional territory, on request by the municipality, in connection with a disannexation under Subsection (b). Provides that the disannexation of territory under this section does not diminish or impair the rights of the holders of any outstanding and unpaid bonds, warrants, or other obligations of the district. Requires the municipality to compensate the district in an amount equal to the disannexed territory's pro rata share of the district's indebtedness at the time the territory is disannexed. Requires the municipality to apply compensation received from a municipality under this subsection exclusively to the payment of the disannexed territory's pro rata share of the district's indebtedness. Requires a municipality to purchase from the district at fair market value any real or personal property used to provide emergency services in territory disannexed under this section, on the district's request. Provides that if any part of the indebtedness for which the district receives compensation under Subsection (e) was for the purchase of the real or personal property that the municipality purchases under this subsection, the fair market value of that property for the purpose of this subsection is reduced by a percentage equal to the disannexed territory's pro rata share under Subsection (e).

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.