

## CHAPTER 975

## H.B. No. 2103

## AN ACT

relating to contracts with landowners within industrial districts located in the extraterritorial jurisdiction of a municipality.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 42.044, Local Government Code, is amended to read as follows:

Sec. 42.044. CREATION OF INDUSTRIAL DISTRICT IN EXTRATERRITORIAL JURISDICTION. (a) In this section, "industrial district" has the meaning customarily given to the term but also includes any area in which tourist-related businesses and facilities are located.

(b) The governing body of a municipality may designate any part of its extraterritorial jurisdiction as an industrial district and may treat the designated area in a manner considered by the governing body to be in the best interests of the municipality.

(c) The governing body may make written contracts with owners of land in the industrial district:

(1) to guarantee the continuation of the extraterritorial status of the district and its immunity from annexation by the municipality for a period not to exceed 15 [~~seven~~] years; and

(2) with other *lawful* terms and considerations that the parties *agree to be reasonable*, [~~consider~~] appropriate, and *not unduly restrictive of business activities*.

(d) The parties to a contract may renew or extend it for successive periods not to exceed 15 [~~seven~~] years each. *In the event any owner of land in an industrial district is offered an opportunity to renew or extend a contract, then all owners of land in that industrial district must be offered an opportunity to renew or extend a contract subject to the provisions of Subsection (c).*

(e) A municipality may provide for adequate fire-fighting services in the industrial district by:

(1) directly furnishing fire-fighting services that are to be paid for by the property owners of the district;

(2) contracting for fire-fighting services, whether or not all or a part of the services are to be paid for by the property owners of the district; or

(3) contracting with the property owners of the district to have them provide for their own fire-fighting services.

(f) A property owner who provides for his own fire-fighting services under this section may not be required to pay any part of the cost of *the* fire-fighting services provided by the municipality to other property owners in the district.

SECTION 2. The changes in law made by this Act apply only to contracts in effect on or entered into after the effective date of this Act.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 30, 1993, by a non-record vote; passed by the Senate on May 22, 1993, by a viva-voce vote.

Approved June 13, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.