

CHAPTER 841

H.B. No. 1349

AN ACT

relating to the abolition of a municipality that ceases to have any residents.

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

SECTION 1. Title 28, Revised Statutes, is amended by adding Article 1241b to read as follows:

*Art. 1241b. ABOLITION OF MUNICIPALITY CEASING TO HAVE RESIDENTS*

*Sec. 1. MUNICIPALITIES COVERED BY ARTICLE. This article applies to any municipality.*

*Sec. 2. PETITION FOR ABOLITION. After the 120th day after the date a municipality ceases to have any persons residing within its boundaries, the owners of a majority of the land within the municipality may file a petition with a district court of the county in which all or a majority of the land in the municipality is located requesting the court to abolish the municipality.*

*Sec. 3. HEARING. (a) Before the 60th day after the date the petition is filed, the district judge of the court shall hold a hearing on the petition. Members of the public who wish to give testimony on the matter of abolishing the municipality must be given the opportunity to do so at the hearing.*

*(b) The district judge must publish notice of the hearing in a newspaper of general circulation in the county in which all or a majority of the land in the municipality is located. The notice must be published before the 10th day before the date of the hearing. The notice must state:*

- (1) the date, time, and place of the hearing;*
- (2) the purpose of the hearing; and*

(3) *the name of the municipality that is the subject of the hearing.*

*Sec. 4. ABOLITION ORDER. At the conclusion of the hearing or within 10 days after the date the hearing is concluded, the district judge shall issue an order declaring the municipality to be abolished if the judge finds that a valid petition was filed and no persons reside within the municipality. The municipality ceases to exist on the date the order is issued.*

*Sec. 5. NOTICE TO COMMISSIONERS COURT. On the issuance of the order abolishing the municipality, the district judge shall certify the abolition to the commissioners court of the county in which all or a majority of the land in the abolished municipality is located.*

SECTION 2. 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 15, 1987, by the following vote: Yeas 136, Nays 0, 1 present, not voting. Passed by the Senate on May 22, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective June 19, 1987.