



American Planning Association
Texas Chapter

Creating Great Communities for All

April 5, 2023

Chapter Officers

Heather Nick, AICP

President

903.245.4459

hnick@tylertexas.com

Kelly Porter, AICP

President-Elect

817.392.7259

Kelly.kris.porter@gmail.com

Carol Barrett, FAICP

Secretary

512.731.0755

carolbarrett@gmail.com

Gary Mitchell, FAICP

Treasurer

281.721.4105

gary@kendigkeast.com

Chance Sparks, AICP

Past-President

512.312.0084

cs@freese.com

Rolandrea Russell

TML Representative

954.871.7683

rolandrearussell@ymail.com

Executive Administrator

Chelsea Irby, AICP

Thank you, Chairman Burns, for the opportunity to present the following information from the American Planning Association, Texas Chapter (APATX). We represent public and private sector planners, planning academics, elected officials, and citizen planners in the great state of Texas. My name is Priscilla Rosales-Piña, and I represent the APATX. We are testifying in **opposition to HB 1307**.

This proposed bill would allow residents living in subdivisions within a municipality's extraterritorial jurisdiction (ETJ) to petition for release from the municipality if they have not received municipal services as well as for residents living in subdivision within the municipal boundaries to petition disannexation if they have not received municipal services. The following assessments form the basis of our opposition:

1. As written, this bill has confusing language which incorrectly states that cities provide municipal services in the extraterritorial jurisdiction (ETJ). Hence any subdivision in the ETJ can petition disannexation based on this incorrect presumption. Allowing subdivisions to petition for release from the ETJ would lead to an increase in sprawl and the fragmentation of communities, as well as a lack of investment in infrastructure and services in these areas that fall into undefined territory in the county.
2. In addition a few residents in subdivisions currently in the city could also claim that full services by the city have not been provided and petition to be disannexed. Disannexation could lead to a patchwork of incorporated and unincorporated areas, creating confusion and difficulties in providing essential services such as police and fire protection, utilities, and waste collection. It could also create issues with zoning and land use planning, as the municipality would no longer have jurisdiction over these areas.
3. Furthermore, releasing subdivisions from the municipality could result in a loss of revenue for the municipality. This would not only affect the ability of the municipality to provide services to its residents, but it could

The Texas Chapter of the American Planning Association is a 501(c)3 organization (23-7431522) as determined by the Internal Revenue Service. Gifts are tax deductible as allowed by law. Please consult your tax advisor for more information.

also lead to an increased tax burden on the remaining residents as the municipality struggles to make up the shortfall.

We urge you to consider the long-term consequences of this proposed bill on the communities and ultimately on the quality of lives of residents. APATX would be interested in being a continued partner to help craft a bill that preserves the ability of communities to serve the needs of all Texas residents.

Respectfully submitted,

Priscilla Rosales-Piña

Priscilla Rosales-Piña, AICP

APA Texas Chapter