

By: Lopez of Bexar

H.B. No. 583

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of fences near certain reservoirs by certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 240, Local Government Code, is amended by adding Section 240.911 to read as follows:

Sec. 240.911. REGULATION OF FENCES NEAR CERTAIN RESERVOIRS BY CERTAIN COUNTIES. (a) In this section, "conservation capacity" means the capacity of a reservoir's conservation pool as determined by the Texas Water Development Board.

(b) This section applies only to a county that:

(1) has a population of less than 52,000; and

(2) has a reservoir partially located within its boundaries that:

(A) has a conservation capacity of more than 250,000 acre-feet; and

(B) is partially located in another county with a population of less than 52,000.

(c) The commissioners court of a county shall adopt an order prohibiting a person from constructing or maintaining a fence or similar structure in an area located beyond the water line of a reservoir described by Subsection (b)(2) at conservation capacity.

(d) A county may bring an action for an injunction to enforce an order adopted under this section. The county may recover

1 reasonable attorney's fees and costs incurred in the action if the
2 county prevails in the action.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2025.