

BILL ANALYSIS

H.B. 1150
By: Puente
Natural Resources
Committee Report (Amended)

BACKGROUND AND PURPOSE

The City of San Antonio voters passed Proposition 3 in May of 2000 authorizing a sales tax to fund a parks venue project under Chapter 334 of the Local Government Code. The purpose of the project was to locate and purchase undeveloped land in the recharge and contributing zones of the Edwards Aquifer and to leave it undeveloped as a means of protecting the aquifer from the increased pollution that would result from development. A restriction contained in the Local Government Code limits such venue projects to within the “municipality or county.” This restriction is overly burdensome since the contributing and recharge zones of the aquifer extend beyond the City of San Antonio and Bexar County, and the City of San Antonio could more effectively implement the program, or similar future programs if it was allowed to make purchases outside the City of San Antonio and Bexar County.

RULEMAKING AUTHORITY

It is the committee’s opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1150 adds a new subsection to Chapter 334 of the Local Government Code to provide that an approved venue project includes a watershed protection and preservation project, conservation easements, an open-space preservation program intended to protect water, or any water project authorized for a municipality under the Texas Water Code and Texas Local Government Code Chapter 401. The bill also removes the restriction that a municipality or county cannot impose a tax for a water conservation project unless it is used to fund a project located in the municipality or county.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary vote, the Act takes effect September 1, 2001.

EXPLANATION OF AMENDMENTS

Committee Amendment No. 1 prohibits the use of hotel and motel taxes to fund any watershed protection and preservation project, conservation easements, an open-space preservation program intended to protect water, or any water project authorized under the Texas Water Code and Texas Local Government Code Chapter 401.