

By: Deuell

S.B. No. 1765

Substitute the following for S.B. No. 1765:

By: Mowery

C.S.S.B. No. 1765

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the zoning authority of a county in areas surrounding
3 Lake Ralph Hall.

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

5 SECTION 1. The heading to Subchapter G, Chapter 231, Local
6 Government Code, is amended to read as follows:

7 SUBCHAPTER G. ZONING AROUND LAKE ALAN HENRY, LAKE COOPER, LAKE
8 RALPH HALL, AND POST LAKE

9 SECTION 2. Section 231.131(a), Local Government Code, is
10 amended to read as follows:

11 (a) The legislature finds that:

12 (1) the areas that surround Lake Alan Henry, Lake
13 Cooper, Lake Ralph Hall, and Post Lake are or will be frequented for
14 recreational purposes by residents from every part of the state;

15 (2) orderly development and use of the area is of
16 concern to the entire state; and

17 (3) buildings in the area that will be frequented for
18 resort or recreational purposes will tend to become congested and
19 to be used in ways that interfere with the proper use of the area as
20 a place of recreation to the detriment of the public health, safety,
21 morals, and general welfare.

22 SECTION 3. Section 231.132, Local Government Code, is
23 amended by amending Subsection (a) and adding Subsection (c) to
24 read as follows:

1 (a) This subchapter applies to:

2 (1) those parts of Garza County located within one
3 mile of the high water marks established for Lake Alan Henry and
4 Post Lake except land located in Garza County and owned by the White
5 River Municipal Water District;

6 (2) those parts of Kent County located within one mile
7 of the high water marks established for Lake Alan Henry; ~~and~~

8 (3) the area within 10,000 feet of where the shoreline
9 of Lake Cooper would be if the lake were filled to its storage
10 capacity; and

11 (4) the area within 5,000 feet of where the shoreline
12 of Lake Ralph Hall would be if the lake were filled to its storage
13 capacity.

14 (c) The application of this subchapter to the area described
15 by Subsection (a)(4) expires on September 1, 2013, unless the
16 permit necessary for the construction of Lake Ralph Hall is issued
17 before that date. This subsection prevails over Subsection (b) to
18 the extent of any conflict.

19 SECTION 4. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2003.