

## **BILL ANALYSIS**

Senate Research Center

H.B. 2097  
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Intergovernmental Relations  
5/17/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Under current law, a municipality may define and prohibit any nuisance that is within the limits of the municipality and within 5,000 feet outside the city limits (extraterritorial jurisdiction). This may include noise regulation of establishments that border public waterways. Since water is an excellent conductor of sound waves, allowing such waves to travel almost five times faster in water than in air, municipal noise ordinances can not be fairly applied to establishments that border waterways.

H.B. 2097 prohibits a municipality from defining or prohibiting a nuisance outside of its limits that is also within 50 feet of a public waterway.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 217.042(a), Local Government Code, to make modifications to the list of locations in which a municipality is authorized to define and prohibit any nuisance.

SECTION 2. Effective date: September 1, 2005.