

## **BILL ANALYSIS**

H.B. 4135  
By: Hilderbran  
Culture, Recreation, & Tourism  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

McCulloch County's economy depends in large measure on hunting and fishing. Therefore, it is of vital importance that the fish and game of this hill country County be preserved. This is exactly the situation Article 3, Section 56(b)(1) of the Texas Constitution is meant to address. This bill will prevent the establishment of any additional sandstone mining and processing facilities in McCulloch County. There are already two such facilities located in the southeastern part of the County and a third one is being proposed. This third facility will directly impact the fish and game of the County in several ways. Most importantly, the facility will impact water use and quality in the southeastern part of the County as well as increased air pollution area wide. Both the impact on water and air quality will directly affect fish and game which will specifically affect the County's economy.

The bill makes an effort to protect and preserve the game and fish in McCulloch County by limiting the number of industrial sand and production facility permitted in McCulloch County to two.

### **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**

SECTION 1. Amend Title 7 of the Parks and Wildlife Code by adding a new Chapter 275 that protects and preserves the game and fish of the county by requiring that no more than two industrial sand and production facilities may be permitted by the State of Texas in McCulloch County.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.