

BILL ANALYSIS

H.B. 2436
By: Phillips
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There are currently proposals to build two new bodies of water in Fannin County: Lake Ralph Hall and Lower Bois D'Arc Creek Reservoir. Should these reservoirs be built, the county supports having the authority to zone around them in order to promote the orderly development of the area. Fannin County already has the authority to zone around the proposed Lake Ralph Hall, but under current law this authority expires in 2013.

H.B. 2436 makes the area within 5,000 feet of the shoreline of the Lower Bois D'Arc Creek Reservoir at capacity subject to county zoning authority and repeals the expiration date for the zoning authority around Lake Ralph Hall.

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. 2436 amends the Local Government Code to add the area within 5,000 feet of where the shoreline of the Lower Bois D'Arc Creek Reservoir would be if the reservoir were filled to its storage capacity to the areas subject to county zoning authority. The bill provides a legislative finding that the area that surrounds Lower Bois D'Arc Creek Reservoir is or will be frequented for recreational purposes.

H.B. 2436 repeals Section 231.132(c), Local Government Code, providing for the expiration of zoning authority around Lake Ralph Hall on September 1, 2013 unless a certain permit is issued by that date.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.