

BILL ANALYSIS

H.B. 935
By: Phillips
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Counties in which certain existing and proposed lakes and reservoirs are located may adopt additional development restrictions within a defined area immediately adjacent to the shoreline of those bodies of water to protect public health and safety, including the protection of the quality of the public drinking water supply. H.B. 935 adds the proposed Lower Bois D'Arc Creek Reservoir to the list of lakes and reservoirs included in provisions of law relating to county zoning authority in those areas.

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. 935 amends the Local Government Code to expand provisions that set forth legislative findings relating to areas surrounding Lake Alan Henry, Lake Cooper, Lake Ralph Hall, and Post Lake that are or will be frequented for recreational purposes by residents from every part of Texas to include Lower Bois D'Arc Creek Reservoir. The bill adds to the findings that development in those areas, including the construction of on-site water treatment systems or other sources of contamination, may impact the water quality in the lakes and the reservoir. The bill makes provisions relating to a county's zoning authority in those areas applicable to 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. The bill makes conforming changes.

H.B. 935 repeals Section 231.132(c), Local Government Code, relating to the expiration of the application of county zoning regulations to certain areas surrounding Lake Ralph Hall.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.