

1-1 By: Deuell S.B. No. 525
1-2 (In the Senate - Filed February 7, 2011; February 17, 2011,
1-3 read first time and referred to Committee on Natural Resources;
1-4 March 16, 2011, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; March 16, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the protection of water quality in certain bodies of
1-9 water.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. The heading to Subchapter G, Chapter 231, Local
1-12 Government Code, is amended to read as follows:

1-13 SUBCHAPTER G. ZONING AROUND LAKE ALAN HENRY, LAKE COOPER, LAKE
1-14 RALPH HALL, ~~AND~~ POST LAKE, AND LOWER BOIS D'ARC CREEK RESERVOIR

1-15 SECTION 2. Subsection (a), Section 231.131, Local
1-16 Government Code, is amended to read as follows:

1-17 (a) The legislature finds that:

1-18 (1) the areas that surround Lake Alan Henry, Lake
1-19 Cooper, Lake Ralph Hall, ~~and~~ Post Lake, and Lower Bois d'Arc Creek
1-20 Reservoir are or will be frequented for recreational purposes by
1-21 residents from every part of the state;

1-22 (2) development in the area, including the
1-23 construction of on-site water treatment systems or other sources of
1-24 contamination, may impact the water quality in the lakes and the
1-25 reservoir;

1-26 (3) orderly development and use of the area is of
1-27 concern to the entire state; and

1-28 (4) ~~(3)~~ buildings in the area that will be
1-29 frequented for resort or recreational purposes will tend to become
1-30 congested and to be used in ways that interfere with the proper use
1-31 of the area as a place of recreation to the detriment of the public
1-32 health, safety, morals, and general welfare.

1-33 SECTION 3. Subsections (a) and (b), Section 231.132, Local
1-34 Government Code, are amended to read as follows:

1-35 (a) This subchapter applies to:

1-36 (1) those parts of Garza County located within three
1-37 miles of the high water marks established for Lake Alan Henry and
1-38 Post Lake except land located in Garza County and owned by the White
1-39 River Municipal Water District;

1-40 (2) those parts of Kent County located within three
1-41 miles of the high water marks established for Lake Alan Henry;

1-42 (3) the area within 10,000 feet of where the shoreline
1-43 of Lake Cooper would be if the lake were filled to its storage
1-44 capacity; ~~and~~

1-45 (4) the area within 5,000 feet of where the shoreline
1-46 of Lake Ralph Hall would be if the lake were filled to its storage
1-47 capacity; and

1-48 (5) the area within 5,000 feet of where the shoreline
1-49 of the Lower Bois d'Arc Creek Reservoir would be if the reservoir
1-50 were filled to its storage capacity.

1-51 (b) The areas described by Subsection (a) are subject to
1-52 regulation under this subchapter regardless of whether the
1-53 construction of an affected lake or reservoir is complete.

1-54 SECTION 4. Subsection (c), Section 231.132, Local
1-55 Government Code, is repealed.

1-56 SECTION 5. This Act takes effect immediately if it receives
1-57 a vote of two-thirds of all the members elected to each house, as
1-58 provided by Section 39, Article III, Texas Constitution. If this
1-59 Act does not receive the vote necessary for immediate effect, this
1-60 Act takes effect September 1, 2011.

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