

## **BILL ANALYSIS**

H.B. 783  
By: Cyrier  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In recent years, conversations regarding additional wind farm developments in Val Verde County have increased. The county includes some of the most beautiful natural habitats in Texas, such as Lake Amistad, the Pecos River, and the Devils River, which is one of the most pristine areas in Texas. Concerns have been raised that these natural habitats may be at risk of disruption due to the development of wind farms in the immediate area, which may lead to habitat disruption, impairment of views, and light pollution. H.B. 783 seeks to address these concerns by authorizing the Parks and Wildlife Commission to adopt rules that designate locations where the installation of a wind-powered energy device in certain counties is not authorized.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Parks and Wildlife Commission in SECTION 1 of this bill.

### **ANALYSIS**

H.B. 783 amends the Parks and Wildlife Code to authorize the Parks and Wildlife Commission to adopt rules that designate locations where the installation of a wind-powered energy device in the following counties is not authorized:

- a county in which all or part of the Devils River State Natural Area is located; or
- a county adjacent to such a county.

These rules may not apply to a wind-powered energy device installed before the bill's effective date.

H.B. 783 requires the commission to consider specified factors in adopting the rules and sets out the purpose of the bill's provisions. The bill subjects a person who violates an adopted rule to a civil penalty of not less than \$100 or more than \$10,000 for each violation and for each day of violation. The bill authorizes the Parks and Wildlife Department to bring suit for the following reasons if a person has violated, is violating, or is threatening to violate an adopted rule:

- for injunctive relief to restrain the person from continuing the violation or threat of violation; and
- to recover the civil penalty.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.