

## **BILL ANALYSIS**

C.S.H.B. 4204  
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Culture, Recreation & Tourism  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding fluctuating water levels on Falcon Lake and there have been calls to conduct a study to determine the cause of this fluctuation and to determine what should be the optimum water level for the lake. C.S.H.B. 4204 provides for the study and a related report.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 4204 requires the Parks and Wildlife Department (TPWD) and the Texas Commission on Environmental Quality (TCEQ) to jointly conduct a study on the water level of Falcon Lake in Zapata and Starr Counties. The bill requires the study to do the following:

- evaluate the optimum water level for recreational fishing on the lake; and
- examine the factors that contribute to or are affected by the rise and fall of the lake's water levels, including flood control, conservation, and hydroelectric power projects.

C.S.H.B. 4204 requires TPWD and TCEQ, not later than December 1, 2022, to submit to the governor, lieutenant governor, and speaker of the house of representatives a report that includes the following:

- the study's findings; and
- recommendations to achieve and maintain the optimum water level for recreational fishing on the lake, consistent with the purpose of the lake's construction.

### **EFFECTIVE DATE**

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

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 4204 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

With regard to the study on the water level of Falcon Lake:

- the original specifies the optimum water level whereas the substitute does not include this specification;
- the substitute specifies the water level of the lake in Zapata and Starr Counties whereas the original does not include this specification including those counties;
- the original requires the examination of the optimum water level for recreational fishing whereas the substitute requires the evaluation of such level for recreational fishing and makes a specification not in the original that the fishing is on the lake; and
- the substitute expands the original's requirement for the examination of the factors that contribute to the rise and fall in water levels to provide for the examination of factors that are affected by such rise and fall and includes as factors flood control, conservation, and hydroelectric power projects.

With regard to the report required by the bill, the original provides for recommendations on maintaining the optimum water level for recreational fishing on Falcon Lake whereas the substitute provides for recommendations to achieve and maintain such level. The substitute makes a specification not in the original that the recommendations be consistent with the purpose of the lake's construction.