

BILL ANALYSIS

H.B. 2109
By: Harris, Caroline
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Lower Brushy Creek Water Control and Improvement District's 23 dams are regulated by the dam safety section of the Texas Commission on Environmental Quality (TCEQ). Current city councils and staff of the Cities of Taylor, Thrall, and Coupland have not questioned such regulation and are very supportive of the district's efforts. However, future councils or staff could attempt to apply municipal regulations for environmental and development guidelines to these dams. In the district's opinion, additional regulations could be duplicative and contradict the regulations of the TCEQ. Given recent population and industrial growth within the district's boundaries, it is important to ensure that the district is not inhibited by unnecessary municipal regulations. H.B. 2109 seeks to exempt the district from the requirement to comply with municipal regulations regarding the construction, maintenance, rehabilitation, or removal of dams.

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

H.B. 2109 amends Section 8A, Chapter 341, Acts of the 55th Legislature, Regular Session, 1957, to exempt the Lower Brushy Creek Water Control and Improvement District from the requirement to comply with municipal regulations regarding the construction, maintenance, rehabilitation, or removal of dams.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.