

By: Orr, Ashby, Harris of Anderson, Bonnen,
Burrows, et al.

H.B. No. 4757

A BILL TO BE ENTITLED

AN ACT

relating to the regulatory authority over certain water bodies.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 11, Water Code, is amended
by adding Section 11.1274 to read as follows:

Sec. 11.1274. ADDITIONAL REQUIREMENT: APPROVAL OF
APPROPRIATION FROM CERTAIN WATER BODIES. (a) The commission may
not approve an application for a new or amended water right
authorizing an appropriation of water from Big Brown Creek or
Fairfield Lake in the Trinity River basin of Freestone County
unless the application:

(1) has first been approved by the Parks and Wildlife
Commission; and

(2) provides for the preservation of the historical
public access to and uses, water levels, and water quality of
Fairfield Lake.

(b) Notwithstanding any other law, on request of the Parks
and Wildlife Commission, the commission:

(1) shall assume complete regulatory authority over
Big Brown Creek and Fairfield Lake in the Trinity River basin of
Freestone County; and

(2) may seek injunctive relief to provide for the
preservation of the historical public access to and uses, water
levels, and water quality of Fairfield Lake.

1 SECTION 2. The change in law made by this Act applies to a
2 new or amended water right for which an application is pending
3 before the Texas Commission on Environmental Quality on the
4 effective date of this Act or is filed with the commission on or
5 after that date.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2023.