

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 963
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Intergovernmental Relations
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Committee Report (Substituted)

DIGEST

Currently, the filling of playa lakes by contractors in Lubbock creates flooding problems for areas for the city. C.S.H.B. 963 would authorize the governing body of a home-rule municipality with a population of 185,000 or more to regulate the filling of a playa lake within the municipality's extraterritorial jurisdiction to prevent harmful flooding or excess surface water, and would prohibit regulations adopted under this Act from interfering with certain agricultural practices.

PURPOSE

As proposed, C.S.H.B. 963 regulates the filling of playa lakes within a municipality's extraterritorial jurisdiction to prevent harmful flooding or excess surface water.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 401, Local Government Code, by adding Section 401.004, as follows:

Sec. 401.004. PROTECTION OF PLAYA LAKES BY CERTAIN HOME-RULE MUNICIPALITIES. Defines "playa lake." Authorizes the governing body of a home-rule municipality with a population of 185,000 or more to regulate the filling of a playa lake within the municipality's extraterritorial jurisdiction as a means for the effective management of stormwater runoff to prevent harmful flooding, or excess surface water. Provides that a regulation adopted under this section may not interfere with normal agricultural practices, including moving soil, berming for tail water reuse, plowing, seeding, cultivating, and harvesting for the production of food or fiber; or prohibit any practice or activity that does not decrease the water holding capacity of a playa lake.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 401.004, Local Government Code, to redefine "playa lake." Authorizes the governing body of a home-rule municipality with a population of 185,000 or more to regulate the filling of a playa lake within the municipality's extraterritorial jurisdiction as a means for the effective management of stormwater runoff to prevent harmful flooding, or excess surface water. Deletes text regarding areas within the highest point of the evaluation of the surface water of the playa lake in the event of a 100-year design storm event and the alteration of a playa lake. Deletes text regarding stormwater management.