BILL ANALYSIS

Senate Research Center

80R8095 TAD-F

S.B. 1526
By: Hegar
Natural Resources
3/27/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, any activity that does not create an impervious area of more than one acre is exempt from the Brookshire-Katy Drainage District (district) rules. The district was created by the 57th Legislature, Regular Session, 1961, as a conservation and reclamation district with the rights and powers authorized by provisions regarding fresh water supply districts. As the Brookshire-Katy area continues to grow, current district regulations do not allow for individual consideration of exemptions to district rules. Large tracts of land are being developed, yet if each subdivided tract of land is less than one acre, it is unclear whether district rules apply to the land. Waller County recently passed regulations similar to those proposed in this bill.

As proposed, S.B. 1526 authorizes the district to adopt rules to exempt from their requirements a drainage facility or improvement on or to serve a tract of land in the district if the facility or improvement does not create an aggregate impervious area of more than one acre.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 6A, Chapter 203, Acts of the 57th Legislature, Regular Session, 1961, by amending Subsection (g) and adding Subsection (i), as follows:

(g) Deletes existing text providing that this section does not apply to any activity that does not create an aggregate impervious area of more than one acre.

(i) Authorizes the Brookshire-Katy Drainage District (district) to adopt rules to exempt from the requirements of this section a drainage facility or improvement on or to serve a tract of land in the district if the facility or improvement does not create an aggregate impervious area of one than one acre.

SECTION 2. Effective date: September 1, 2007.