

BILL ANALYSIS

Senate Research Center

C.S.H.B. 1013
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Intergovernmental Relations
5/22/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The military has an important and historic presence in Texas. It is the cornerstone of many local economies in the state. The continued viability of military installations is an ongoing concern for local governments. These installations are required to meet functional requirements, such as the ability to host night time exercises in order to prove and maintain their missions in Texas.

Currently, the Local Government Code allows the commissioners court of a county, immediately adjacent to a military installation, the authority to regulate the use and installation of outdoor lighting.

C.S.H.B. 1013 grants the commissioners court of a county, which is within five miles of an active military installation, the authority to regulate lighting at the request of the military installation commander by removing the "adjacent to" requirement language from statute.

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 240.032(b-1), Local Government Code, as follows:

(b-1) Provides that this subsection applies only to a county with a population of more than one million that has at least five United States military bases and to any county adjacent to that county that is within five miles of a United States Army installation, base, or camp. Authorizes the commissioners court of a county, rather than the commissioners court of a county, any part of which is located immediately adjacent to the installation, base, or camp, on the request of a United States military installation, base, or camp commanding officer, subject to this subsection, to adopt orders regulating the installation and use of outdoor lighting within five miles of the installation, base, or camp in any unincorporated territory of the county.

SECTION 2. Effective date: upon passage or September 1, 2009.