

BILL ANALYSIS

Senate Research Center
82R383 TJB-D

S.B. 753
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Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Acton Nature Center of Hood County began an astronomy program two and one-half years ago. It has become part of Hood County's mission to promote a recreational and educational venue for the nature enthusiast of all ages. The Hood County Development District has a plan to elevate community interest in astronomy. This program can provide an exceptional opportunity for cultivating children's interest and providing a place of study for undergraduates considering a career in science. The Acton Nature Center of Hood County does not qualify as a major astronomical observatory under current statute; therefore the county commissioners court does not have the authority to adopt order regulating the installation and use of outdoor lighting. S.B. 753 permits the commissioners court of Granbury County to adopt orders regulating lighting within two miles of an astronomical observatory.

As proposed, S.B. 753 amends current law relating to the authority of certain counties to regulate outdoor lighting near astronomical observation facilities.

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 the heading to Subchapter B, Chapter 240, Local Government Code, to read as follows:

SUBCHAPTER B. OUTDOOR LIGHTING NEAR ASTRONOMICAL OBSERVATION FACILITIES, OBSERVATORIES, AND MILITARY INSTALLATIONS

SECTION 2. Amends Section 240.031, Local Government Code, by adding Subdivision (5), to define, in this subchapter, "astronomical observation facility."

SECTION 3. Amends Section 240.032, Local Government Code, by adding Subsection (b-2) and amending Subsection (c), as follows:

(b-2) Provides that this subsection applies only to a county with a population of more than 40,000 that is authorized to regulate development for the purpose of encouraging recreation under Chapter 231 (County Zoning Authority) and that has at least one astronomical observation facility. Authorizes a commissioners court of a county to adopt orders regulating the installation and use of outdoor lighting within two miles of an astronomical observation facility.

(c) Requires that the orders be designed to protect against the use of outdoor lighting in a way that interferes with educational, recreational, or scientific astronomical research of the astronomical observation facility or observatory or military and training activities of the military installation, base, or camp. Authorizes the commissioners court, in the orders, to regulate a variety of activities including prohibiting the use of a type of outdoor lighting that is incompatible with the effective use of the astronomical observation

facility, observatory, or military installation, base, or camp. Makes a nonsubstantive change.

SECTION 4. Amends Section 240.033, Local Government Code, by adding Subsection (c), as follows:

(c) Authorizes the commissioners court of a county authorized under Section 240.032(b-2) to adopt orders regulating the installation and use of outdoor lighting near an astronomical observation facility to adopt orders establishing standards relating to proposed subdivisions located within two miles of an astronomical observation facility in order to minimize the interference with astronomical observation facility activities caused by outdoor lighting. Prohibits the commissioners court from approving a plat of a proposed subdivision that does not meet the standards.

SECTION 5. Effective date: upon passage or September 1, 2011.