

BILL ANALYSIS

Senate Research Center

S.B. 718
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Natural Resources
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As Filed

DIGEST

Currently, Texas law does not authorize municipalities to control harmful excess surface water in certain playa lakes. In certain cities, playa lakes are an integral part of the drainage system. The placing of fill material in playa lakes can create problems associated with surface drainage and increase the risk of flooding due to the decrease of holding capacity for stormwater in these playa lake basins. Large rainfall amounts can fill the playas and several may overflow from one to another forming a system of interconnected flow paths through a city or its extraterritorial jurisdiction. Maintaining storage capacity, by controlling filling, is critical to drainage and flood control needs. This bill will authorize certain municipalities to control harmful excess surface water in certain playa lakes.

PURPOSE

As proposed, S.B. 718 authorizes certain municipalities to control harmful excess surface water in certain playa lakes.

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 230, Local Government Code, by adding Subchapter C, as follows:

SUBCHAPTER C. CONTROL OF HARMFUL EXCESS SURFACE WATER BY CERTAIN HOME-RULE MUNICIPALITIES

Sec. 230.021. PLAYA LAKES. Defines "playa lake" as a flat-floored, clayey bottom of an undrained basin that is located in an arid or semi-arid part of the state, is naturally dry most of the year, and collects runoff from rain but is subject to rapid evaporation. Authorizes the governing bodies of certain home-rule municipalities to regulate and control the use, alteration, and development of the natural drainage feature known as a playa lake within its extraterritorial jurisdiction in order to prevent harmful excess surface water. Prohibits any city ordinance or regulation enacted pursuant to this subchapter from interfering with normal agricultural practices.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.