

BILL ANALYSIS

Senate Research Center

H.B. 3750
By: Kuempel; Stickland (Schwertner)
Intergovernmental Relations
5/17/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerns have been raised about reports of some municipalities using their authority over issues like water quality to regulate land use in their extraterritorial jurisdiction. H.B. 3750 seeks to address this issue by limiting the authority of a municipality to impose water quality regulations in the municipality's extraterritorial jurisdiction.

H.B. 3750 amends current law relating to the applicability of certain municipal ordinances in the municipality's extraterritorial jurisdiction.

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 212.003, Local Government Code, by adding Subsection (d), as follows:

(d) Prohibits a municipality, notwithstanding any other law, from enforcing in its extraterritorial jurisdiction a municipal ordinance, regulation, or other measure that imposes cut and fill depth requirements or other water quality regulations on a project that are more stringent than the applicable minimum state and federal water quality requirements unless the project is located in an area that is an aquifer recharge or contributing zone, or in the drainage basin of a river designated by the Texas Commission on Environmental Quality as having high or exceptional aquatic life use in the Texas Surface Water Quality Standards.

SECTION 2. Effective date: upon passage or September 1, 2019.