

BILL ANALYSIS

C.S.S.B. 342
By: Brimer
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Neighborhoods in unincorporated areas of populous counties resemble those in cities in density and design. However, those areas are not covered by municipal ordinances to protect residents from accidental drowning in unfenced or uncovered swimming pools.

C.S.S.B. 342 amends the definition of public nuisance in certain populous counties to include swimming pools in neighborhoods located in the unincorporated area of the county. C.S.S.B. 342 only applies to a swimming pool constructed or installed on or after September 1, 2005, or located on property sold on or after September 1, 2005.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 343.011(c), Health and Safety Code, to expand what constitutes a public nuisance to include unprotected swimming pools on any property in a neighborhood in a county with a population of more than 1.1 million.

SECTION 2. Provides that the change in law made by this Act to Subsection (c), Section 343.011, Health and Safety Code, applies only to a swimming pool constructed or installed on or after September 1, 2005, or located on property sold on or after September 1, 2005.

SECTION 3. Effective date

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute changes SECTION 2 of the bill to make the changes in law made to Subsection (c), Section 343.011, Health and Safety Code, prospective. Renumbers subsequent Sections of the bill accordingly.