

By: Gallego

H.B. No. 2684

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prohibition of glass containers within the
3 boundaries of a state-owned riverbed; providing criminal
4 penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter C, Chapter 356, Health and Safety
7 Code, is amended by adding Section 356.035 to read as follows:

8 Sec. 365.035. PROHIBITION ON GLASS CONTAINERS WITHIN
9 BOUNDARIES OF A STATE-OWNED RIVERBED; PENALTIES. (a) A person
10 commits an offense under this section is a Class C misdemeanor
11 unless it is shown on the trial of the defendant that the defendant
12 has previously been convicted of an offense under this section, in
13 which case the offense is a Class B misdemeanor.

14 (b) It is a defense to prosecution under Subsection (a) that
15 the person who possessed the glass container;

16 (1) did not transport the glass container into the
17 boundaries of the riverbed; or

18 (2) possessed the glass container only for the purpose
19 of lawfully disposing of the glass container in a waste receptacle;
20 or

21 (3) possessed the glass container for the purpose of
22 scientific research as authorized by a governmental entity.

23 SECTION 2. This Act takes effect September 1, 2005.