

## BILL ANALYSIS

Senate Research Center

C.S.H.B. 1070  
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Business & Commerce  
5/1/2007  
Committee Report (Substituted)

### AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under the current Texas Occupations Code there are only two classes of amusement rides. This class system lumps low-risk amusement rides into the same class as roller coasters. Thus, the owners and operators of small rides are forced to acquire and pay for the same high-cost insurance policies as though they operated high-speed or high-risk roller coasters.

C.S.H.B. 1070 creates new criteria for certain amusement rides that operate in a manner similar to a train. This criteria would ensure that the ride poses minimal risk. The bill states the insurance requirements that correspond to these certain types of low-risk amusement rides. The bill also authorizes a local government to satisfy the insurance requirements by obtaining liability coverage through an interlocal agreement.

### 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 2151.101, Occupations Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Creates an exception as provided by Section 2151.1011 to the prohibition against a person operating an amusement ride unless the person meets certain conditions.

(c) Authorizes a local government to satisfy the insurance requirement prescribed by Subsection (a) by obtaining liability coverage through an interlocal agreement.

SECTION 2. Amends Subchapter C, Chapter 2151, Occupations Code, by adding Section 2151.1011, as follows:

Sec. 2151.1011. LIABILITY INSURANCE FOR CERTAIN AMUSEMENT RIDES.

(a) Provides that this section applies only to certain Class B amusement rides.

(b) Prohibits a person from operating an amusement ride described by Subsection (a) unless the person has one of two specific types of insurance policies with not less than \$1 million in aggregate coverage.

(c) Authorizes a local government to satisfy the insurance requirement prescribed by Subsection (b) by obtaining liability coverage through an interlocal agreement.

SECTION 3. Effective date: upon passage or September 1, 2007.