

BILL ANALYSIS

Senate Research Center
80R6227 ABC-D

S.B. 864
By: Harris
Natural Resources
3/23/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, motor boats are prohibited from circling within 50 feet from persons who are fishing or swimming. It is important to also protect those who are engaged in activities other than fishing and swimming. The 50 foot requirement does not affect the status quo for someone who is waterskiing or being pulled behind a boat since most tow ropes are between 50 and 100 feet long.

As proposed, S.B. 864 prohibits a boat from circling around someone who is waterskiing or engaged in a similar activity. In addition, the bill prohibits a motor boat from operating within 100 feet of any other vessel, shoreline, person, or stationary platform or other object unless the boat is operating at a certain speed, the boat is in a no-wake zone, or a distance of 100 feet is not possible.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 31.099, Parks and Wildlife Code, to read as follows:

Sec. 31.099. PROHIBITION ON CIRCULAR COURSE AROUND INDIVIDUALS ENGAGED IN WATER ACTIVITIES.

SECTION 2. Amends Section 31.099(a), Parks and Wildlife Code, to prohibit a person from operating a motorboat in a circular course around any other boat any occupant of which is engaged in fishing, waterskiing, or a similar activity, or any person swimming.

SECTION 3. Amends Sections 31.106(a) and (c), Parks and Wildlife Code, as follows:

(a) Prohibits a person from operating a person watercraft within 100, rather than 50, feet of any other vessel, person, stationary platform, or other object, or shore, except at headway speed.

(c) Provides that Subsection (a)(4) of this section does not prohibit the operation of personal watercraft on bodies of water less than 200, rather than 100, feet in width.

SECTION 4. Amends Section 31.107, Parks and Wildlife Code, as follows:

Sec. 31.107. OPERATION OF MOTORBOAT. (a) Creates this subsection from existing text. Makes a nonsubstantive change.

(b) Prohibits a person from operating a motorboat within 100 feet of the shore, any other vessel, a person, or a stationary platform or other object unless the boat's speed does not exceed headway speed; the boat is in a no-wake zone; or a distance of at least 100 feet is not possible.

SECTION 5. Makes application of the change in law made by this Act prospective.

SECTION 6. Effective date: July 1, 2007 or September 1, 2007.