

By: Rose

H.B. No. 2312

A BILL TO BE ENTITLED

AN ACT

relating to guardrails on school district bleachers.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.0051 to read as follows:

Sec. 38.0051. GUARDRAILS ON SCHOOL BLEACHERS. (a) All bleachers owned by a school district and used by students must be equipped with a vertical perimeter guardrail designed to prevent accidents.

(b) The commissioner may adopt rules prescribing guardrail standards for purposes of this section.

(c) Notwithstanding Subsection (a), bleachers owned by a school district on June 1, 2007, must be in compliance with the requirements of this section not later than January 1, 2008, unless the commissioner, based on a district's request regarding specific bleachers, grants an extension of that deadline or grants a waiver from the requirements of this section. The commissioner may not grant a waiver from the requirements of this section unless the school district demonstrates that equipping the specific bleachers with a guardrail is not feasible due to the design of the bleachers. The commissioner may not grant an extension or waiver under this subsection for bleachers that are acquired or constructed by a school district on or after June 1, 2007.

SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2007.