

BILL ANALYSIS

Senate Research Center
81R16362 ACP-F

H.B. 1213
By: Rios Ybarra (Lucio)
Natural Resources
4/16/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Some state policies regarding access to the public beaches of Texas are implemented through rules promulgated by the commissioner of the General Land Office (commissioner) in accordance with provisions of the Natural Resources Code. The legality of using golf carts on a beach is presently unclear and controversial. However, the use of golf carts is at times the only means by which a person with a physical disability may access the beach. By adopting rules regarding such use, the commissioner may provide the guidance to local governmental authorities needed to address the issue of local beach access and dune protection.

H.B. 1213 requires the commissioner to promulgate rules on the use on a public beach of a golf cart for the transportation of a person with a physical disability

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the commissioner of the General Land Office is modified in Section 1 (Section 61.011, Natural Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 61.011(d), Natural Resources Code, as follows:

(d) Requires the commissioner of the General Land Office to promulgate rules, consistent with the policies established in this section, on certain matters only, including local government prohibitions of vehicular traffic on public beaches, provision of off-beach parking, the use on a public beach of a golf cart, as defined by Section 502.001 (Definitions), Transportation Code, for the transportation of a person with a physical disability, and other minimum measures as needed to mitigate for any adverse effect on public access and dune areas.

SECTION 2. Effective date: upon passage or September 1, 2009.