

## **BILL ANALYSIS**

C.S.H.B. 1213  
By: Rios Ybarra  
Land & Resource Management  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Some state policies regarding access to the public beaches of Texas are implemented through rules promulgated by the commissioner of the General Land Office, in accordance with provisions of the Natural Resources Code. The legality of using golf carts on a beach is presently unclear, and the use is sometimes controversial. However, the use of such vehicles is at times the only means by which some physically disabled people 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.

C.S.H.B. 1213 amends the Natural Resources Code to authorize the commissioner to promulgate rules that would provide parameters for the use of golf cart vehicles on a public beach by persons with a physical disability.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of the General Land Office in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 1213 amends the Natural Resources Code to add the use on a public beach of a golf cart, as defined under provisions relating to the registration of vehicles, for the transportation of a person with a physical disability, to the specified matters on which the commissioner of the General Land Office is required to promulgate rules, consistent with the policies established under law.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1213 differs from the original by referring to the use on a public beach of a golf cart as defined under the Transportation Code for the transportation of a person with a physical disability, rather than referring to the use of motorized golf cart vehicles on the beach by disabled persons. The substitute adds a provision not in the original that the bill take effect on passage, or, if the bill does not receive the necessary vote, on September 1, 2009.