

## **BILL ANALYSIS**

Senate Research Center  
81R29497 SLB-F

C.S.H.B. 3108  
By: Parker (Harris)  
Administration  
5/12/2009  
Committee Report (Substituted)

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

Since 2004, boating fatalities in Texas have risen from 36 a year to 59 a year, while incidences of injury accidents rose from 146 to 181. Additionally, from calendar year 2007 to 2008, the number of boating while intoxicated offenses rose by 23 percent.

This bill creates an advisory panel to conduct an interim study on recreational boating safety and report those findings to the legislature prior to the start of the 82nd Legislature.

C.S.H.B. 3108 amends current law relating to an interim study of recreational boating safety in Texas.

### **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. ADVISORY PANEL; STUDY.** (a) Requires the governor, lieutenant governor, and speaker of the house of representatives to each appoint three members to an advisory panel on recreational boating safety. Requires that the appointments by each include at least one representative from a boat dealer, distributor, or manufacturer licensed under Section 31.041 (Dealer's, Distributor's and Manufacturer's License), Parks and Wildlife Code.

(b) Requires the panel appointed under Subsection (a) of this section to conduct a study assessing current conditions and making recommendations regarding:

- (1) boating safety generally and ways to improve boating safety on lakes and rivers in this state;
- (2) the effect of boater education on boating safety and the boat rental, boat sales, and tourism industries;
- (3) the effect of requiring every boat owner to carry liability insurance on boating safety and the boat rental, boat sales, and tourism industries;
- (4) the effectiveness of law enforcement on lakes and rivers and ways to increase the effectiveness of law enforcement, including possible increases in the number of enforcement officers and state or local responsibility for the increases; and
- (5) any other issue the advisory panel finds relevant to boating safety in this state.

(c) Requires the panel, for each area of the study, to provide an estimate of the costs to boaters and the boating and tourism industries if the panel's recommendations were implemented.

(d) Requires one member of the panel appointed by the governor to serve as the panel's presiding officer.

(e) Requires the panel to convene at the call of the presiding officer.

(f) Authorizes the members of the panel, from the contingent expense fund of the senate and the contingent expense fund of the house of representatives equally, to be reimbursed for expenses incurred in carrying out the provisions of this Act in accordance with the rules of the senate and house of representatives and the policies of the senate and house committees on administration.

(g) Requires the panel, not later than December 31, 2010, to report the results of the study conducted under this section to the Texas Parks and Wildlife Department, the governor, the lieutenant governor, the speaker of the house of representatives, and the members of the committee in each house of the legislature with primary jurisdiction over recreational boating.

SECTION 2. Effective date: September 1, 2009.