

By: Dutton

H.B. No. 2672

Substitute the following for H.B. No. 2672:

By: Mallory Caraway

C.S.H.B. No. 2672

A BILL TO BE ENTITLED

AN ACT

relating to safety measures for culverts or other similar flood or drainage systems maintained by governmental entities.

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

SECTION 1. This Act shall be known as Logan's Law.

SECTION 2. Chapter 756, Health and Safety Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. CULVERTS OR OTHER DRAINAGE SYSTEMS

Sec. 756.151. DUTY OF MUNICIPALITY. (a) This section applies only to an intake to a culvert or other enclosed flood or drainage system that is:

(1) maintained by a municipality with a population of more than two million; and

(2) located within 100 feet of an elementary school.

(b) A municipality shall ensure that:

(1) each intake described by Subsection (a) is protected by a bar, grate, or other appropriate covering sufficient to ensure that a child may not be swept into the system; and

(2) a sign warning of the hazard for a child, including the danger for injury or drowning, is clearly posted at the intake.

(c) A municipality shall ensure that each culvert or other enclosed flood or drainage system with an intake that is subject to the requirements of this section has a hinged opening or other type of opening and closing mechanism to permit emergency services

1 personnel to access the system.

2           SECTION 3. Not later than September 1, 2011, a municipality  
3 with a population of more than two million shall ensure that each  
4 culvert or other enclosed flood or drainage system and each intake  
5 to the system meets the requirements of Section 756.151, Health and  
6 Safety Code, as added by this Act.

7           SECTION 4. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2011.