

1-1 By: Eltife S.B. No. 445  
1-2 (In the Senate - Filed January 31, 2011; January 31, 2011,  
1-3 read first time and referred to Committee on Administration;  
1-4 February 2, 2011, reported favorably by the following vote:  
1-5 Yeas 7, Nays 0; February 2, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the creation, purpose, implementation, and funding of  
1-9 the County Park Beautification and Improvement Program.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subtitle B, Title 10, Local Government Code, is  
1-12 amended by adding Chapter 328 to read as follows:

1-13 CHAPTER 328. COUNTY PARK BEAUTIFICATION AND IMPROVEMENT PROGRAM

1-14 Sec. 328.001. PURPOSE; CREATION. It is the intent of the  
1-15 legislature that each county dedicating land for use as county  
1-16 parks be encouraged to beautify and improve those parks through  
1-17 measures including but not limited to improvements in or additions  
1-18 to lighting, directional and educational signs, litter abatement  
1-19 strategies, and landscaping and landscape maintenance policies. In  
1-20 furtherance of these goals, the County Park Beautification and  
1-21 Improvement Program is established.

1-22 Sec. 328.002. IMPLEMENTATION. The commissioners court of a  
1-23 county may by majority vote elect to participate in the program. On  
1-24 such election, the commissioners court shall designate one person  
1-25 in the division of the county government responsible for the care  
1-26 and maintenance of the county parks as the coordinator for the  
1-27 program. The coordinator may solicit advice and assistance from  
1-28 state and county agencies and private organizations in developing  
1-29 and implementing the program.

1-30 Sec. 328.003. REPORT; ADOPTION. The coordinator shall  
1-31 report to the commissioners court the coordinator's findings and  
1-32 shall recommend an implementation strategy to the commissioners  
1-33 court. The commissioners court may reject or adopt the  
1-34 implementation strategy. If the commissioners court rejects the  
1-35 strategy, it shall specify to the coordinator the reasons for such  
1-36 rejection, and the coordinator shall develop a new implementation  
1-37 strategy to present to the commissioners court within six months of  
1-38 the rejection. On adoption of an implementation strategy, the  
1-39 commissioners court may fund the program as provided in Section  
1-40 328.004.

1-41 Sec. 328.004. FUNDING. The commissioners court of a county  
1-42 electing to participate in the program may solicit and accept  
1-43 bequests, donations, grants, and other money, goods, and services  
1-44 from federal, state, and private sources to finance and further the  
1-45 goals of the program but may not levy any tax or receive any  
1-46 legislative appropriation to fund such participation. The state is  
1-47 not liable for debts or other obligations incurred by a county in  
1-48 implementing or planning to implement the program under this  
1-49 chapter.

1-50 SECTION 2. This Act takes effect immediately if it receives  
1-51 a vote of two-thirds of all the members elected to each house, as  
1-52 provided by Section 39, Article III, Texas Constitution. If this  
1-53 Act does not receive the vote necessary for immediate effect, this  
1-54 Act takes effect on the 91st day after the last day of the  
1-55 legislative session.

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