

BILL ANALYSIS

H.B. 1235
By: Dale
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been reported that some cities and utility districts have denied attempts by municipalities to reopen neighborhood swimming pools. For example, the residents of the Springwoods Municipal Utility District have reportedly continuously petitioned the district to reopen a neighborhood swimming pool but have not been successful in doing so. Interested parties contend that the reopening of certain pools could bring a community together and limit travel time for residents who participate in water sports. H.B. 1235 seeks to require certain municipalities to open and operate a municipal swimming pool closed for a certain period of time upon receiving a petition that meets certain conditions.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1235 amends the Local Government Code to require a municipality with a population of 750,000 or more to open and operate a municipal swimming pool closed for more than one year and less than three years if the municipality receives a petition requesting the opening of the pool that is filed with the municipal clerk and signed by 50 or more qualified voters of the municipality who reside within five miles of the pool.

H.B. 1235 requires the municipality, if the petition is filed before February 1, to open and operate the swimming pool not later than the 180th day after the date the petition is filed. The bill authorizes the municipality, if the petition is filed on or after February 1, to open the pool for the summer, if practicable, and requires the municipality to open the pool for the summer of the next calendar year.

H.B. 1235 requires the municipality to maintain and operate the swimming pool in the same manner and with the same level of service as other comparable municipal swimming pools in the municipality. The bill's provisions do not apply to a municipal swimming pool that the municipality cannot open due to the existence of a serious health and safety issue that cannot be remedied through reasonable actions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.