

By: Dale

H.B. No. 1235

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the operation of certain swimming pools by certain  
3 populous municipalities.

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

5 SECTION 1. Chapter 315, Local Government Code, is amended  
6 by adding Section 315.007 to read as follows:

7 Sec. 315.007. OPERATION OF CERTAIN MUNICIPAL SWIMMING POOLS  
8 REQUIRED. (a) In this section, "municipal swimming pool" means a  
9 public swimming pool and any attached property or infrastructure  
10 required to operate the pool that is owned by a municipality.

11 (b) This section applies only to a municipality with a  
12 population of 750,000 or more.

13 (c) A municipality must open and operate a municipal  
14 swimming pool closed for more than one year and less than three  
15 years if the municipality receives a petition requesting the  
16 opening of the pool that is filed with the municipal clerk and  
17 signed by 50 or more qualified voters of the municipality who reside  
18 within five miles of the pool.

19 (d) If the petition is filed before February 1, the  
20 municipality shall open and operate the municipal swimming pool not  
21 later than the 180th day after the date the petition is filed. If  
22 the petition is filed on or after February 1, the municipality may  
23 open the pool for the summer, if practicable, and shall open the  
24 pool for the summer of the next calendar year.

1       (e) A municipality must maintain and operate a municipal  
2 swimming pool under this section in the same manner and with the  
3 same level of service as other comparable municipal swimming pools  
4 in the municipality.

5       (f) This section does not apply to a municipal swimming pool  
6 that the municipality cannot open due to the existence of a serious  
7 health and safety issue that through reasonable actions cannot be  
8 remedied.

9       SECTION 2. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2013.