

By: Burns

H.B. No. 2490

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain amusement rides by the Texas Department of Licensing and Regulation; requiring an occupational license.

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

SECTION 1. Section 2151.051, Occupations Code, is amended to read as follows:

Sec. 2151.051. GENERAL POWERS AND DUTIES. Except as provided by Subchapter E, the [The] commissioner shall administer and enforce this chapter.

SECTION 2. Chapter 2151, Occupations Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. CERTAIN INFLATABLE AMUSEMENT RIDES

Sec. 2151.201. APPLICABILITY. (a) This subchapter applies only to a Class B amusement ride that:

(1) is mechanically inflated using a continuous airflow device; and

(2) provides a surface for bouncing and jumping or creates an enclosed space for the purpose of amusement.

(b) The requirements for operation, liability insurance, inspections, injury reports, and signage provided under Subchapter C do not apply to a Class B amusement ride regulated under this subchapter.

Sec. 2151.202. REGULATORY AUTHORITY; RULES. (a)

1 Notwithstanding any other provision of this chapter, an amusement
2 ride to which this subchapter applies is regulated by the Texas
3 Department of Licensing and Regulation.

4 (b) The Texas Commission of Licensing and Regulation shall
5 adopt rules necessary to implement and enforce this subchapter and
6 to protect the public safety.

7 Sec. 2151.203. LICENSE REQUIRED. A person may not operate
8 in this state an amusement ride to which this subchapter applies
9 unless the person holds a license issued under this subchapter by
10 the Texas Department of Licensing and Regulation.

11 SECTION 3. (a) Not later than December 1, 2015, the Texas
12 Commission of Licensing and Regulation shall adopt the rules
13 necessary to implement Subchapter E, Chapter 2151, Occupations
14 Code, as added by this Act.

15 (b) Notwithstanding Subchapter E, Chapter 2151, Occupations
16 Code, as added by this Act, a person is not required to hold a
17 license to operate an amusement ride governed by that subchapter
18 until January 1, 2016.

19 SECTION 4. This Act takes effect September 1, 2015.