

BILL ANALYSIS

Senate Research Center
85R10148 JTS-D

S.B. 1870
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Natural Resources & Economic Development
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Recreational water activities on Texas rivers can be hazardous due to increased litter in and near state-owned riverbeds. If not properly disposed of, glass containers in particular pollute river beds and put swimmers, anglers, paddlers, campers, and other recreationists at risk of injuries caused by broken glass. While some municipalities and river authorities, the Texas Parks and Wildlife Department, and the Comal Water-Oriented Recreation District have already banned glass containers in rivers in some manner, counties have no such ability to protect river recreationists. In part, S.B. 1870 derived from concerns raised by Senate District 21 constituents regarding the stretch of the San Marcos River in the unincorporated areas of Caldwell, Hays, and Guadalupe counties. The company which currently performs river clean-up in this area, as well as in Comal and surrounding counties, noted an increase in glass containers found during the most recent recreational season's river clean-ups.

S.B. 1870 creates a safer environment for river recreationists by authorizing counties by order to prohibit the possession of a glass container within the boundaries of state-owned riverbeds. Under current law (Section 365.035, Health and Safety Code), possessing a glass container on state-owned riverbed in Uvalde County is a Class C misdemeanor offense. S.B. 1870 gives other counties the option to establish this same offense.

As proposed, S.B. 1870 amends current law relating to county prohibition of the possession of glass containers within the boundaries of a state-owned riverbed and creates an offense.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 365.035, Health and Safety Code, by adding Subsection (b-1), to authorize a county other than a county described by Subsection (b) (relating to providing that a person commits an offense under certain circumstances and in certain counties) to prohibit the possession of a glass container within the boundaries of a state-owned riverbed in the county and provide that a person who violates an order adopted under this subsection commits an offense.

SECTION 2. Effective date: September 1, 2017.