

## **BILL ANALYSIS**

H.B. 329  
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Culture, Recreation & Tourism  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been suggested that it would be beneficial to Big Bend National Park resources and visitors if the federal and state governments shared concurrent jurisdiction over territory in the park. H.B. 329 seeks to address this issue by providing for the cession and retrocession of concurrent jurisdiction over certain national park system territories in Texas.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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. 329 amends the Parks and Wildlife Code to require the governor, on the state's behalf, to cede to the United States concurrent jurisdiction over territory that is owned by the United States within the boundaries of any unit of the national park system in Texas and that is or would be, if not for this cession, under proprietary federal jurisdiction. The cession of jurisdiction takes effect when an authorized official of the National Park Service, U.S. Department of the Interior, accepts it in writing. The bill requires the governor to provide a copy of the written acceptance to the secretary of state not later than the 21st day after the acceptance is received in the governor's office and requires the secretary of state to publish the acceptance in the Texas Register.

H.B. 329 requires the governor, on the state's behalf and simultaneously with the cession of concurrent jurisdiction, to accept from an authorized official of the National Park Service a retrocession of concurrent jurisdiction over territory that is under exclusive federal jurisdiction and in Big Bend National Park or the Rio Grande Wild and Scenic River. The bill establishes that the civil and political rights of a person who resides inside the boundaries of Big Bend National Park or the Rio Grande Wild and Scenic River are preserved and are not impaired by the operation of concurrent jurisdiction under the bill. These provisions expire September 1, 2020, unless the governor has received written acceptance of concurrent jurisdiction by that date.

H.B. 329 requires the governor, not later than October 1, 2019, to send a copy of the bill to an authorized official of the National Park Service to request consideration and acceptance of the bill's proposed changes in jurisdiction and, if the governor receives written confirmation of that acceptance, to provide a copy of the acceptance to the secretary of state for publication in the Texas Register as required by the bill.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.