

BILL ANALYSIS

C.S.H.B. 1628
By: Morrison
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised about the fact that certain coastal counties are struggling to manage challenges such as camping and littering with respect to their beaches and parks. These counties note that they could benefit from the same authority granted to certain other coastal counties to adopt rules related to the use, maintenance, and protection of these locations. C.S.H.B. 1628 seeks to address these concerns by providing for the authority of certain coastal counties to adopt certain rules for island parks, beach parks, and public beaches.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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

C.S.H.B. 1628 amends the Local Government Code to authorize the commissioners courts of certain coastal counties by order to adopt reasonable rules on camping, access, litter, resource protection, or waste disposal if the rules are consistent with Natural Resources Code provisions relating to dunes and the use and maintenance of public beaches and consistent with rules adopted under those provisions and if the rules apply only in a location controlled or maintained by the county that is an island park, a beach park, or any part of a public beach. This authorization applies to a county that borders on the Gulf of Mexico and has within its boundaries one or more islands or parts of islands suitable for park purposes and to a county that borders on the Gulf of Mexico and has within its boundaries a beach that is wholly or partly operated by the county as a park or is otherwise controlled or maintained by the county. The bill creates a Class C misdemeanor offense for a person who violates a rule adopted by a commissioners court under the bill's provisions.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1628 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a specification that the rules the applicable commissioners courts may adopt under the bill be consistent with Natural Resources Code provisions relating to dunes and the use and maintenance of public beaches and consistent with the rules adopted under those provisions.