By:  Morrison (Senate Sponsor - Kolkhorst) H.B. No. 1628

(In the Senate - Received from the House April 8, 2019; April 9, 2019, read first time and referred to Committee on Water & Rural Affairs; May 1, 2019, reported adversely, with favorable Committee Substitute by the following vote: Yeas 7, Nays 0; May 1, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Perry           X

Creighton       X

Alvarado        X

Johnson         X

Kolkhorst       X

Rodríguez       X

Taylor          X

COMMITTEE SUBSTITUTE FOR H.B. No. 1628 By:  Kolkhorst

A BILL TO BE ENTITLED

AN ACT

relating to the authority of coastal counties to adopt certain rules for island parks, beach parks, and public beaches; creating a criminal offense.

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

SECTION 1.  Chapter 321, Local Government Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. COASTAL COUNTY ISLAND PARK, BEACH PARK, AND PUBLIC BEACH RULES

Sec. 321.101.  APPLICABILITY. Notwithstanding Section 321.001, this subchapter applies only to:

(1)  a county described by Section 321.001; and

(2)  a county that borders on the Gulf of Mexico and has within its boundaries a beach that:

(A)  is wholly or partly operated by the county as a park; or

(B)  is otherwise controlled or maintained by the county.

Sec. 321.102.  RULES. The commissioners court of a county by order may adopt reasonable rules on camping, access, litter, resource protection, or waste disposal if the rules:

(1)  are consistent with Chapter 352 of this code, Chapters 61 and 63, Natural Resources Code, and rules adopted under those chapters; and

(2)  apply only in the following locations controlled or maintained by the county:

(A)  an island park;

(B)  a beach park; or

(C)  any part of a public beach.

Sec. 321.103.  OFFENSE. (a) A person commits an offense if the person violates a rule adopted under Section 321.102.

(b)  An offense under this section is a Class C misdemeanor.

SECTION 2.  The heading to Chapter 321, Local Government Code, is amended to read as follows:

CHAPTER 321. [~~PARKS BOARD AND PARK BONDS:~~] ISLAND PARKS, BEACH PARKS, AND PUBLIC BEACHES OF COASTAL COUNTIES

SECTION 3.  This Act takes effect September 1, 2019.

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