

1-1 By: Reynolds, Jetton, Stephenson H.B. No. 72
 1-2 (Senate Sponsor - Miles)
 1-3 (In the Senate - Received from the House May 3, 2021;
 1-4 May 10, 2021, read first time and referred to Committee on Local
 1-5 Government; May 22, 2021, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 8, Nays 0;
 1-7 May 22, 2021, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9 Bettencourt	X			
1-10 Menéndez	X			
1-11 Eckhardt	X			
1-12 Gutierrez			X	
1-13 Hall	X			
1-14 Nichols	X			
1-15 Paxton	X			
1-16 Springer	X			
1-17 Zaffirini	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 72 By: Hall

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to the power of certain counties to enact certain park use
 1-23 rules; changing a criminal penalty.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. The heading to Section 320.0455, Local
 1-26 Government Code, is amended to read as follows:

1-27 Sec. 320.0455. RULES IN CERTAIN COUNTIES [~~A POPULOUS~~
 1-28 ~~COUNTY~~]; PENALTY FOR VIOLATIONS.

1-29 SECTION 2. Section 320.0455, Local Government Code, is
 1-30 amended by amending Subsections (a), (b), and (c) and adding
 1-31 Subsection (b-1) to read as follows:

1-32 (a) This section applies only to a county with a population
 1-33 of:

1-34 (1) [~~a county with a population of~~] 2.8 million or
 1-35 more; [~~and~~]

1-36 (2) 580,000 or more that is adjacent to a county with a
 1-37 population of 2.8 million or more; or

1-38 (3) [~~a county with a population of~~] more than 410,000
 1-39 and less than 455,000.

1-40 (b) Except as provided by Subsection (b-1), and subject
 1-41 [~~Subject~~] to the approval of the commissioners court, the board may
 1-42 adopt reasonable rules concerning the use of any park administered
 1-43 by the board.

1-44 (b-1) A board created for a county described by Subsection
 1-45 (a)(2) may not adopt rules relating to the use of fireworks.

1-46 (c) A person who [~~commits an offense if the person~~] violates
 1-47 a rule approved by the commissioners court under Subsection (b) is
 1-48 liable to the county for a civil penalty of not more than \$100 per
 1-49 violation. A county may bring suit in a district court or county
 1-50 court to recover a civil penalty authorized by this subsection [~~An~~
 1-51 ~~offense under this subsection is a Class C misdemeanor].~~

1-52 SECTION 3. The changes in law made by this Act do not affect
 1-53 the pending prosecution of an offense under Section 320.0455, Local
 1-54 Government Code, as that section existed immediately before the
 1-55 effective date of this Act. An offense committed before the
 1-56 effective date of this Act is governed by the law in effect on the
 1-57 date the offense was committed, and the former law is continued in
 1-58 effect for that purpose. For purposes of this section, an offense
 1-59 was committed before the effective date of this Act if any element
 1-60 of the offense was committed before that date.

2-1 SECTION 4. This Act takes effect September 1, 2021.

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