

**House Bill 72**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

Sec. 320.0455. RULES IN CERTAIN COUNTIES [A POPULOUS COUNTY]; PENALTY FOR VIOLATIONS.

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

- (a) This section applies only to a county with a population of:
- (1) ~~[a county with a population of]~~ 2.8 million or more; ~~[and]~~
  - (2) 580,000 or more that is adjacent to a county with a population of 2.8 million or more; or
  - (3) ~~[a county with a population of]~~ more than 410,000 and less than 455,000.
- (b) Except as provided by Subsection (b-1), and subject [Subject] to the approval of the commissioners court, the board may adopt reasonable rules concerning the use of any park administered by the board.
- (b-1) A board created for a county described by Subsection (a)(2) may not adopt rules relating to the use of fireworks.

No equivalent provision.

SENATE VERSION (CS)

SECTION 1. Same as House version.

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

- (a) This section applies only to a county with a population of:
- (1) ~~[a county with a population of]~~ 2.8 million or more; ~~[and]~~
  - (2) 580,000 or more that is adjacent to a county with a population of 2.8 million or more; or
  - (3) ~~[a county with a population of]~~ more than 410,000 and less than 455,000.
- (b) Except as provided by Subsection (b-1), and subject [Subject] to the approval of the commissioners court, the board may adopt reasonable rules concerning the use of any park administered by the board.
- (b-1) A board created for a county described by Subsection (a)(2) may not adopt rules relating to the use of fireworks.
- (c) A person who ~~[commits an offense if the person]~~ violates a rule approved by the commissioners court under Subsection (b) is liable to the county for a civil penalty of not more than \$100 per violation. A county may bring suit in a district court or county court to recover a civil penalty authorized by this subsection ~~[An offense under this subsection is a Class C misdemeanor].~~

SECTION 3. The changes in law made by this Act do not affect the pending prosecution of an offense under Section

CONFERENCE

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HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

320.0455, Local Government Code, as that section existed immediately before the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

SECTION 3. This Act takes effect September 1, 2021.

SECTION 4. Same as House version.