

BILL ANALYSIS

C.S.H.B. 630

By: Vasut

Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 2021, the Legislature passed House Bill 3807, which requires, among other things, counties and municipalities bordering the Gulf of Mexico to provide occupied lifeguard towers or mobile lifeguard units on each side of each pier, jetty, or other structure that protrudes into the Gulf of Mexico that is located within the boundaries of the county or municipality, or, alternatively, one occupied lifeguard tower or mobile unit for any structure protruding into the gulf if it has unobstructed view of both sides of the structure. The Legislature did not appropriate any funds to offset the costs of counties or municipalities complying with these new requirements.

Certain counties and municipalities have raised concerns about the cost of complying with House Bill 3807. C.S.H.B. 630 amends the provisions enacted by House Bill 3807 to exempt certain municipalities and counties from the occupied lifeguard tower and mobile lifeguard unit provisions of House Bill 3807.

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

C.S.H.B. 630 exempts municipalities with a population of less than 1,000 located in a county adjacent to a county with a population of more than 800,000 from the requirement to, during reasonable daylight hours, as posted and established by the municipality, from Memorial Day to Labor Day, to provide, or ensure that a park board created by the municipality under Chapter 306, Local Government Code, provides:

- occupied lifeguard towers or mobile lifeguard units on each side of each pier, jetty, or other structure that protrudes into the Gulf of Mexico that is located within the corporate boundaries; or
- a single occupied lifeguard tower or mobile lifeguard unit at each pier, jetty, or other structure that protrudes into the Gulf of Mexico that is located within the corporate boundaries if the single tower provides an unobstructed view of both sides of the structure.

The bill further exempts counties with a population of more than 800,000 that contain a municipality adjacent to the Gulf of Mexico that has a population of less than 1,000 from the requirement to, during reasonable daylight hours, as posted and established by the county, from Memorial Day to Labor Day, to provide:

- occupied lifeguard towers or mobile lifeguard units on each side of each pier, jetty, or other structure that protrudes into the Gulf of Mexico that is located on a public beach located inside the county but outside the boundaries of any incorporated city located or bordering on the Gulf of Mexico and all public beaches owned by the county and located inside the boundaries of an incorporated city, town, or village; or

- a single occupied lifeguard tower or mobile lifeguard unit at each pier, jetty, or other structure that protrudes into the Gulf of Mexico that is located on a public beach located inside the county but outside the boundaries of any incorporated city located or bordering on the Gulf of Mexico and all public beaches owned by the county and located inside the boundaries of an incorporated city, town, or village that provides an unobstructed view of both sides of the structure.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF ORIGINAL TO SUBSTITUTE

While C.S.H.B. 630 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While the introduced exempted a municipality with a population of less than 15,000 and a county with a population of less than 500,000 unless the county had lifeguards employed prior to June 1, 2021, from the occupied lifeguard tower and mobile lifeguard unit requirements, the substitute exempts municipalities with a population of less than 1,000 located in a county adjacent to a county with a population of more than 800,000 and counties located adjacent to a county with a population of more than 800,000 and that contain a municipality adjacent to the Gulf of Mexico that has a population of less than 1,000 from the occupied lifeguard tower and mobile lifeguard unit requirements.