

BILL ANALYSIS

C.S.H.B. 1740
By: Leach
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Veterans have raised the issue that, under current state law, not all veterans may apply for a state parklands passport but that a member of the U.S. armed forces on active duty who is 65 years old or older and certain veterans who have certain service-connected disabilities are eligible for the passports, which waive entry fees to state parks. However, under federal law, certain military personnel and veterans receive free entry to all national parks. Legislation is needed to better align Texas' state park policy with federal park policy and to honor the service of all military personnel. C.S.H.B. 1740 would allow all honorably discharged veterans and active U.S. armed forces members free access to our state parks, along with free access to a surviving spouse, parent, child, or sibling of a person who died while serving in the U.S. armed forces.

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 rulemaking authority is expressly granted to the Texas Parks and Wildlife Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1740 amends the Parks and Wildlife Code to revise provisions relating to the issuance of state parklands passports that entitle an individual to enter a state park without payment of an entrance or admission fee, or a vehicle entrance fee if applicable, as follows:

- removes provisions conditioning an active U.S. armed forces member's authorization to apply for the passport on the member being 65 years or older;
- removes provisions conditioning a U.S. armed services veteran's authorization to apply for the passport on the veteran having certain service-connected disabilities and instead conditions such a veteran's authorization to apply on the veteran being honorably discharged; and
- authorizes a surviving spouse, parent, child, or sibling of a person who died while serving in the U.S. armed forces to apply for the passport.

A state parklands passport issued to a member of the U.S. armed forces on active duty is valid for one year from the date of issuance and may be renewed in the manner prescribed by the Parks and Wildlife Commission rule.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1740 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.

The substitute does not include the provision in the introduced providing for the express waiver by statute of a park entrance fee for a first responder, as defined by the introduced, or for an express waiver by statute for an active duty member or veteran of the U.S. armed forces, the Texas Army National Guard, the Texas Air National Guard, or the Texas State Guard. However, the substitute provides for a fee waiver through the state parklands passport on application by an active duty member or veteran of the U.S. armed forces. Furthermore, the substitute, but not the introduced, authorizes an honorably discharged veteran of the U.S. armed services and a surviving spouse, parent, child, or sibling of a person who died while serving in the U.S. armed forces to apply for a state parklands passport.

The substitute includes a provision absent from the introduced that provides that a passport issued to a member of the U.S. armed forces on active duty is valid for one year from the date of issuance and may be renewed in the manner prescribed by the Parks and Wildlife Commission rule.