

By: Hickland

H.B. No. 191

A BILL TO BE ENTITLED

AN ACT

relating to flood risk notice requirements for certain campgrounds;
providing a civil penalty.

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

SECTION 1. Subtitle A, Title 9, Health and Safety Code, is
amended by adding Chapter 762 to read as follows:

CHAPTER 762. CAMPGROUNDS

Sec. 762.001. DEFINITION. In this chapter, "campground"
means a commercial property designed to provide cabins for
transient guest use or areas for locating recreational vehicles or
tents for transient guest use.

Sec. 762.002. FLOOD RISK NOTICE. The owner or operator of a
campground located on or near a body of water that is at risk of
flooding shall before each camper is allowed access to the
campground:

(1) provide written notice to the camper, or the
parent or legal guardian of a camper who is a minor, of the risk of
flooding at the campground; and

(2) ensure the camper, or the parent or legal guardian
of a camper who is a minor, signs and submits to the owner or
operator a statement acknowledging receipt of the notice.

Sec. 762.003. CIVIL PENALTY. (a) An owner or operator of a
campground who fails to comply with Section 762.002 is liable to
this state for a civil penalty of \$1,000 for each violation. Each

1 day a violation continues constitutes a separate violation.

2 (b) The attorney general may sue to collect the penalty and
3 may recover attorney's fees and costs incurred in bringing an
4 action under this section.

5 SECTION 2. This Act takes effect on the 91st day after the
6 last day of the legislative session.