

BILL ANALYSIS

C.S.H.B. 4132
By: Wilson
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that ensuring the enforcement of regulations and imposition of fines in county parks will discourage vandalism and other dangerous activities taking place in such parks. C.S.H.B. 4132 seeks to address this issue by expanding the applicability of certain provisions relating to the enactment of park use rules.

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. 4132 amends the Local Government Code to expand the applicability of provisions authorizing certain counties to enact park use rules the violation of which are subject to certain penalties to include a county with a population of more than 410,000 and less than 455,000.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4132 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Chapter 331, Local Government Code, is amended by adding Section 331.0075 to read as follows:
Sec. 331.0075. ENFORCEMENT OF RULES; OFFENSE. (a) A person commits an offense if the person violates a rule prescribed under Section 331.007 and approved by the governing body of the

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

municipality or county that maintains the park, playground, historical museum, or historic or prehistoric site. An offense under this subsection is a Class C misdemeanor.

(b) Fines collected under Subsection (a) shall be deposited in the general fund of the municipality or county.

SECTION 2. The heading to Section 331.007, Local Government Code, is amended to read as follows:

Sec. 331.007. PUBLIC USE; RULES.

No equivalent provision.

No equivalent provision.

SECTION 3. This Act takes effect September 1, 2017.

No equivalent provision.

SECTION 1. The heading for 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(a), Local Government Code, is amended to read as follows:

(a) This section applies to a county with a population of:

(1) 2.8 million or more; or

(2) more than 410,000 and less than 455,000.

SECTION 3. Same as introduced version.