

BILL ANALYSIS

C.S.H.B. 1268
By: Ashby
Insurance
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In Texas, certain vinyl waterslides often found at church or summer camps are classified as "amusement rides," which requires the waterslide operators to be subject to the same inspection and permitting requirements as a large rollercoaster. This lack of distinction in current law results in overregulation that makes offering these waterslides as part of camp activities cost-prohibitive. There have been calls to exempt these waterslides from the amusement ride classification given that other team-building activities such as ropes courses, rock climbing walls, and zip lines are already exempt from the amusement ride classification. C.S.H.B. 1268 seeks to remedy this situation by exempting certain waterslides from the regulations applicable to amusement rides.

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. 1268 amends the Occupations Code to exclude from the definition of "amusement ride" for purposes of provisions regulating those rides a waterslide, including one operated by a mechanical device, in which passengers are carried along a course that is less than 200 feet in length, is substantially constructed from vinyl or vinyl coated polyester, and is not mechanically inflated using a continuous airflow device.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1268 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.