

BILL ANALYSIS

C.S.H.B. 2499
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Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Life jackets have been proven to save lives. The majority of boating fatalities involve a person who was not wearing a life jacket. Current law requires that children under 13 years of age wear a life jacket while underway on a motorboat less than 26 feet long or on certain other vessels such as canoes, kayaks, and other paddle craft, but that requirement does not extend to people who are water skiing, tubing, wake boarding, or wake surfing. C.S.H.B. 2499 seeks to address this issue by prohibiting the operation of a motorboat unless each person towed behind the motorboat or engaged in water sports in or on the motorboat's wake is wearing a life jacket, regardless of that person's age.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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. 2499 amends the Parks and Wildlife Code to prohibit a person from operating a motorboat unless each person towed behind the motorboat or engaged in water sports in or on the motorboat's wake is wearing a wearable personal flotation device of the sort prescribed by the commandant of the U.S. Coast Guard. A violation of this prohibition is a Class C Parks and Wildlife Code misdemeanor.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2499 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes language prohibiting a person from operating a motorboat unless each person engaged in water sports in or on the motorboat's wake is wearing a wearable personal flotation device.