

**SUBJECT:** Requiring occupied lifeguard towers and signage on coastal beaches

**COMMITTEE:** Culture, Recreation and Tourism — favorable, without amendment

**VOTE:** 9 ayes — K. King, Gervin-Hawkins, Burns, Clardy, Frullo, Israel, Krause, Martinez, C. Morales

0 nays

**WITNESSES:** For — Kiwana Denson; (*Registered, but did not testify:* Philip Barquer, Austin Travis County EMS; Ryan Brannan, Galveston Park Board of Trustees)

Against — None

**BACKGROUND:** Natural Resources Code secs. 61.065, 61.066, and 61.067 establish the responsibility of a municipality, county, or the Parks and Wildlife Department to clean and maintain the condition of all public beaches in their governed area. Parks and Wildlife Code ch. 13 establishes the powers and duties of the Parks and Wildlife Department concerning state parks and other recreational areas.

**DIGEST:** HB 3807 would require municipalities, counties, and the Parks and Wildlife Department (TPWD) as part of their duties to clean and maintain public beaches to add signs and lifeguards in certain areas. The municipality, county, or TPWD would have to provide lifeguard towers on each side of each pier, jetty, or other structure that protruded into the Gulf of Mexico, was within its corporate boundaries, on a certain public beach, or within a state park. The towers would have to be occupied by lifeguards during reasonable daylight hours from March through November. The bill also would require posted signs within 100 yards of each structure describing the dangerous water conditions that could occur near the structure.

The bill would take effect September 1, 2021.

**SUPPORTERS SAY:** HB 3807 would improve public safety by requiring occupied lifeguard towers to be installed and signs to be posted that describe dangerous water conditions that can appear near structures in certain areas along the Gulf Coast.

The bill would improve education and awareness of these dangers and potentially avert the loss of life that has resulted from these natural conditions, which pose a significant risk from the undertow that can occur near rock formations, piers, and jetties on coastal beaches.

The bill would require occupied lifeguard towers to be provided near the relevant areas during daylight hours from March through November, which would provide a visual cue to beachgoers of the potential dangers and would increase the likelihood of a successful rescue in the event an individual was caught in the undertow near the rocky structures.

The modest cost to implement the bill's provisions is worth the lives that will be saved from dangerous water conditions as a result of improved awareness generated by the informational signs and the presence of manned lifeguard towers.

**CRITICS SAY:** HB 3807 would impose a state mandate to install lifeguard towers and signs on local governments, which should be able to determine for themselves whether those safety features are necessary and appropriate.

**NOTES:** According to the Legislative Budget Board, the bill would have a negative impact of \$1.4 million in general revenue dedicated funds in fiscal 2022-23.