CHAPTER 1008

H.B. No. 4110

AN ACT
relating to the purchase, donation, and sale of promotional items by the Texas Water Development Board.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter F, Chapter 6, Water Code, is amended by adding Section 6.198 to read as follows:

Sec. 6.198. PURCHASE, DONATION, AND SALE OF PROMOTIONAL ITEMS. (a) The executive administrator, with the approval of the board and on the board's behalf, may purchase, donate, sell, or contract for the sale of items to promote the programs of the board, including:

(1) caps or other clothing;
(2) posters;
(3) banners;
(4) calendars;
(5) books;
(6) prints; and
(7) other items as determined by the board.

(b) The board may use its Internet website to advertise and sell the items described by Subsection (a).

(c) Money received from the sale of a promotional item under this section shall be deposited in the general revenue fund and may be used only by the board to further the purposes and programs of the board.

(d) Section 403.095, Government Code, does not apply to money deposited in the general revenue fund under this section.

SECTION 2. This Act takes effect September 1, 2009.

Passed by the House on April 30, 2009: Yeas 93, Nays 37, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.
Effective September 1, 2009.

CHAPTER 1009

H.B. No. 4127

AN ACT
relating to the expenditure of public funds for certain playground facilities.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Sections 756.061(a) and (b), Health and Safety Code, are amended to read as follows:

(a) Notwithstanding any other rule or statute, and except [Except] as provided by Subsection (b), on or after September 1, 2009 [497], public funds may not be used:

(1) to purchase playground equipment that:


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(B) has a horizontal bare metal platform or a bare metal step or slide, unless the bare metal is shielded from direct sun by a covering provided with the equipment or by a shaded area in the location where the equipment is installed [the United States Consumer Product Safety Commission (Publication No. 325)];

(2) to purchase surfacing for the area under and around playground equipment if the surfacing will not [substantially] comply, on completion of installation of the surfacing, with each applicable provision of ASTM Standard F2223-04e1, "Standard Guide for ASTM Standards on Playground Surfacing" published by ASTM International [the handbook described by Subdivision (1)]; or

(3) to pay for installation of playground equipment or surfacing if the installation will not [substantially] comply, on completion of the installation, with each applicable provision of the specifications [handbook] described by Subdivisions (1) and (2), as applicable.

(b) Public funds may be used for maintenance of playground equipment or surfacing for the area under and around playground equipment that was purchased before September 1, 2009 [;W7], even if the equipment or surfacing does not [substantial] comply, on completion of the maintenance, with each applicable provision of the specifications [handbook] described by Subsections [Subsection] (a)(1) and (a)(2).

SECTION 2. This Act takes effect September 1, 2009.

Passed by the House on April 30, 2009: Yeas 144, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 4127 on May 23, 2009: Yeas 137, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.