

BILL ANALYSIS

Senate Research Center
76R10729 MI-F

H.B. 2108
By: Cook (West)
Finance
5/3/1999
Engrossed

DIGEST

In 1993, the legislature created the Texas Recreation and Parks Account Program (TRPA), to assist in the operation and maintenance of parks and certain areas. TPRA replaced a program called the Texas Local Parks, Recreational, and Open Space Fund, which was funded in part by excise taxes on cigarettes. The current funding for TRPA is provided through a dedication of state sales taxes on sporting goods. H.B. 2108 would provide an alternative funding source for local parks, and allow cultural resource sites to be included in the funding.

PURPOSE

As proposed, H.B. 2108 authorizes certain alternative funding sources for local parks, and permits cultural resources to be included in the funding.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 24.001, Parks and Wildlife Code, by adding Subdivisions (10)-(12), to define “cultural resource site or area,” “nonprofit corporation,” “and “underserved population.”

SECTION 2. Amends Section 24.005, Parks and Wildlife Code, by amending Subsection (c) and adding Subsections (d) and (e), to authorize, rather than prohibit, a political subdivision to use certain monies for the operation and maintenance of certain parks and recreational areas, but only under certain conditions. Requires the Department of Parks and Wildlife (department) to make grants of money from the recreation and parks account to a political subdivision or nonprofit corporation for recreation, conservation, or education programs for underserved populations to encourage an increased use of certain parks and recreational resources. Authorizes the department to provide from the account for direct and administrative costs of the program described by Subsection (d).

SECTION 3. Amends Section 24.006, Parks and Wildlife Code, to require an amount not less than, rather than not to exceed, 15 percent, to be made available for grants for specified uses when revenues to the account exceed \$14 million per year. Authorizes certain limited amount of revenues to be made available for grants, if the recreation and parks account revenues exceed \$15.5 million per year.

SECTION 4. Amends Sections 24.008(a), (e), and (f), Parks and Wildlife Code, to change the number of appraisers from two to one in determined property value before it may be acquired with grant money made under this chapter. Authorizes jurisdictions for open spaces, rather than only contiguous jurisdictions, to cooperate under state law to secure assistance from the account. Authorizes the department to modify the standards for individual applicants but must be assured that a cooperative management plan for the land or water can be developed and effectuated and that one of the jurisdictions possess the necessary qualifications to perform responsibilities for purposes of the grant. Includes cultural resources in certain actions that may be taken under this section. Makes conforming changes.

SECTION 5. Amends Section 24.009(a), Parks and Wildlife Code, to require the comptroller to draw up a warrant for certain grants to be made payable to a nonprofit corporation.

SECTION 6. Amends Section 24.011, Parks and Wildlife Code, to make conforming changes.

SECTION 7. Repealers: Sections 24.008(b) and (d), Parks and Wildlife Code (Acquisition of Property).

SECTION 8. Effective date: September 1, 1999.

SECTION 9. Emergency clause.