

## **BILL ANALYSIS**

Senate Research Center

S.B. 634  
By: Bernsen  
Intergovernmental Relations  
2/27/2001  
Committee Report (Amended)

### **DIGEST AND PURPOSE**

Under current law, commissioners courts in coastal counties are authorized to prohibit and define littering in their unincorporated areas. This authority has proven to be insufficient in some areas of the state. Strict enforcement of littering penalties, beach clean-up days and providing trash bags to the public have not proven to be successful methods of keeping the beaches in these areas free of litter and safe for public use. Littering not only causes a public nuisance, but it also creates a safety hazard, of which glass containers are a significant part. As proposed, S.B. 634 authorizes commissioners courts in coastal counties to prohibit the use or possession of these containers on beaches in unincorporated areas of the counties.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading of Chapter 61D, Natural Resources Code, as follows:

SUBCHAPTER D. New heading: COUNTY REGULATION OF PUBLIC USE OF BEACHES

SECTION 2. Amends the heading of Section 61.122, Natural Resources Code, as follows:

Sec. 61.122. New heading: COUNTY REGULATORY AUTHORITY. Deletes text in heading regarding traffic, litter, animals on beaches, and swimming in passes to and from the Gulf of Mexico.

SECTION 3. Amends Section 61.122, Natural Resources Code, by redesignating current Subsection (d) as Subsection (e) and adding a new Subsection (d), as follows:

(d) Authorizes the commissioners court of a county bordering on the Gulf of Mexico or its tidewater limits, by order, to prohibit the use and possession of all glass containers and products on a beach in the unincorporated area of the county. Prohibits the commissioners court from prohibiting any one or several glass products to the exclusion of any others.

SECTION 4. Effective date: upon passage or September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. No change.

SECTION 2. No change.

SECTION 3. Amends As Filed S.B. 634, Section 61.122, Natural Resources Code, to replace “use

or possession of any glass container or” with “use and possession of all glass containers and products” and to add to Subsection (d), to prohibit a commissioners court from prohibiting any one or several glass products to the exclusion of any others.

SECTION 4. No change.