

BILL ANALYSIS

Senate Research Center
77R5995 SGA-D

S.B. 934
By: Nelson
Natural Resources
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As Filed

DIGEST AND PURPOSE

Current law establishes that no ground-disturbing activities can be conducted on state lands without prior permission from the Texas Historical Commission (THC). This prohibits hobbyists from metal detecting in public parks where visitors are currently allowed to participate in other activities such as picnicking, fishing, camping, and swimming. As proposed, S.B. 934 amends the Natural Resources Code to permit the use of metal detectors in state parks. The bill also amends the Parks and Wildlife Code to direct the Texas Parks and Wildlife Department to allow recreational metal detecting in designated areas of state parks as determined by the Parks and Wildlife Commission. The bill also further protects parks by prohibiting the removal of objects, implements, or artifacts listed in the Antiquities Code of the Natural Resources Code.

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 Section 191.0525, Natural Resources Code, by adding Subsection (j) to provide that this section does not apply to recreational metal detecting in designated areas of state parks.

SECTION 2. Amends Chapter 13B, Parks and Wildlife Code, by adding Section 13.1021, as follows:

Sec. 13.1021. REGULATION OF RECREATIONAL METAL DETECTING IN STATE PARKS. (a) Requires the Texas Parks and Wildlife Department to allow recreational metal detecting in designated areas of state parks subject to rules adopted by the Parks and Wildlife Commission.

(b) Provides that this section does not authorize the removal from state park land of any object, implement, or artifact the removal of which is prohibited under Chapter 191 (Antiquities Code), Natural Resources Code.

SECTION 3. Effective date: September 1, 2001.