

BILL ANALYSIS

Senate Research Center

S.B. 445
By: Eltife
Administration
1/31/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As proposed, S.B. 445 relates to the creation, purpose, implementation, and funding of the County Park Beautification and Improvement Program.

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 Subtitle B, Title 10, Local Government Code, by adding Chapter 328, as follows:

CHAPTER 328. COUNTY PARK BEAUTIFICATION AND IMPROVEMENT PROGRAM

Sec. 328.001. **PURPOSE; CREATION.** Provides that it is the intent of the legislature that each county dedicating land for use as county parks be encouraged to beautify and improve those parks through measures including but not limited to improvements in or additions to lighting, directional and educational signs, litter abatement strategies, and landscaping and landscape maintenance policies. Provides that in furtherance of these goals, the County Park Beautification and Improvement Program is established.

Sec. 328.002. **IMPLEMENTATION.** Authorizes the commissioners court of a county, by a majority vote, to elect to participate in the program. Requires the commissioners court, upon such election, to designate one person in the division of the county government responsible for the care and maintenance of the county parks as the coordinator for the program. Authorizes the coordinator to solicit advice and assistance from state and county agencies and private organizations in developing and implementing the program.

Sec. 328.003. **REPORT; ADOPTION.** Requires the coordinator to report to the commissioners court the coordinator's findings and recommend an implementation strategy to the commissioners court. Authorizes the commissioners court to reject or adopt the implementation strategy. Requires the commissioners court, if it rejects the strategy, to specify to the coordinator the reasons for such rejection, and requires the coordinator to develop a new implementation strategy to present to the commissioners court within six months of the rejection. Authorizes the commissioners court, on adoption of an implementation strategy, to fund the program as provided in Section 328.004.

Sec. 328.004. **FUNDING.** Authorizes the commissioners court of a county electing to participate in the program to solicit and accept bequests, donations, grants, and other money, goods, and services from federal, state, and private sources to finance and further the goals of the program but prohibits the commissioners court from levying any tax or receiving any legislative appropriation to fund such participation. Provides that the state

is not liable for debts or other obligations incurred by a county in implementing or planning to implement the program under this chapter.

SECTION 2. Effective date: upon passage or the 91st day after adjournment.