

BILL ANALYSIS

Senate Research Center
86R19496 SMT-F

H.B. 510
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Water & Rural Affairs
5/15/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties find that although the State has granted authority to certain counties to "acquire and maintain parks, museums, and historic sites" in Chapter 331, Local Government Code, the State has not granted the ability to enforce rules that are not also duplicated in another portion of the Texas Penal Code or Transportation Code. Currently the recourse for violations of the administrative rules at a park is only criminal trespass. This would allow for the county commissioners court with jurisdiction over the park to create "reasonable rules" such as the hours of operation, glass bottles use, preserving the vegetation, and/or the protection of historical monuments, and to enforce those rules with a Class C misdemeanor.

H.B. 510 amends current law relating to the power of certain counties to enact park use rules.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the board of park commissioners in a certain county in SECTION 1 (Section 320.0455, Local Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 320.0455(a), Local Government Code, to include a county with a population of more than 410,000 and less than 455,000 among the counties to which this section (Rules in a Populous County; Penalty For Violations) applies and to make nonsubstantive changes.

SECTION 2. Effective date: September 1, 2019.