

BILL ANALYSIS

Senate Research Center
87R1747 SMT-F

H.B. 72
By: Reynolds et al. (Miles)
Local Government
5/20/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Fort Bend County does not have statutory authority to enact certain park use rules for its parks and should be able to enforce regulations and impose fines to discourage vandalism and other dangerous activities taking place in its parks. H.B. 72 provides Fort Bend County the authority to adopt rules concerning the use of its parks in order to make them safer for public use, excluding rules relating to fireworks, which is compromise language from past sessions with interested stakeholders.

There is a committee substitute to the bill which removes the current criminal penalties and makes it a civil penalty not to exceed \$100.

H.B. 72 amends current law relating to the power of certain counties to enact certain park use rules.

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 to Section 320.0455, Local Government Code, to read as follows:

Sec. 320.0455. RULES IN CERTAIN COUNTIES; PENALTY FOR VIOLATIONS.

SECTION 2. Amends Section 320.0455, Local Government Code, by amending Subsections (a) and (b) and adding Subsection (b-1), as follows:

(a) Provides that Section 320.0455 applies only to certain counties, including a county with a population of 580,000 or more that is adjacent to a county with a population of 2.8 million or more. Makes nonsubstantive changes.

(b) Provides that, except as provided by Subsection (b-1), and subject to the approval of the commissioners court, the board of park commissioners (board) is authorized to adopt reasonable rules concerning the use of any park administered by the board.

(b-1) Prohibits a board created for a county described by Subsection (a)(2) from adopting rules relating to the use of fireworks.

SECTION 3. Effective date: September 1, 2021.