

BILL ANALYSIS

Senate Research Center
77R5170 JMG-F

S.B. 634
By: Bernsen
Intergovernmental Relations
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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 or possession of any glass container or other glass product on a beach in the unincorporated area of the county.

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