

- SUBJECT:** Authorizing counties to adopt rules for beach use; creating an offense
- COMMITTEE:** Culture, Recreation and Tourism — committee substitute recommended
- VOTE:** 9 ayes — Cyrier, Martinez, Bucy, Gervin-Hawkins, Holland, Jarvis Johnson, Kacal, Morrison, Toth
- 0 nays
- WITNESSES:** For — John Blankenship, Joe Ripple, and David Thacker, Brazoria County; (*Registered, but did not testify:* Adam Haynes, Conference of Urban Counties; Jim Allison, County Judges and Commissioners Association of Texas; Cyrus Reed, Lone Star Chapter Sierra Club; AJ Louderback, Sheriffs' Association of Texas; Bobbie Vickery)
- Against — None
- DIGEST:** CSHB 1628 would authorize the commissioners court of certain counties bordering the Gulf Coast to adopt reasonable rules for an island park, beach park, or any part of a public beach controlled or maintained by the county. These rules could govern camping, access, litter, resource protection, or waste disposal so long as the rules were consistent with statutes governing the use and maintenance of public beaches and dunes.
- The bill would apply to a Gulf Coast county that had within its boundaries one or more islands or parts of islands suitable for park purposes and a beach that was wholly or partly operated by the county or was otherwise controlled and maintained by the county.
- A violation of a rule adopted under the bill's provisions would be a class C misdemeanor (maximum fine of \$500).
- The bill would take effect September 1, 2019.
- SUPPORTERS SAY:** CSHB 1628 would protect public beaches by authorizing coastal counties to adopt rules governing use of the beaches and to prevent abuses of the

property. While large cities have the authority to adopt and enforce such rules, smaller communities currently do not, leaving their beaches vulnerable to abuse.

In some areas, such as Brazoria County, displaced individuals have taken up residence on public beaches, creating numerous public health and sanitation issues, threatening public safety, and risking environmental damage to public land. This also undermines the broader public's use of the beaches. Small communities that govern public beaches should have the authority to adopt and enforce rules to protect those beaches and to end or prevent potential harm.

**OPPONENTS  
SAY:**

CSHB 1628 would allow counties to criminalize camping on public beaches, which would punish displaced individuals when they lacked access to alternative shelter. Authorizing measures such as fines would not address underlying problems such as inadequate housing. Communities instead should develop constructive strategies to fix the problem.