

By: Dutton

H.B. No. 3636

A BILL TO BE ENTITLED

1 AN ACT

2 relating to safety measures for culverts or other similar flood or
3 drainage systems maintained by governmental entities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. This Act shall be known as Logan's Law.

6 SECTION 2. Chapter 756, Health and Safety Code, is amended
7 by adding Subchapter I to read as follows:

SUBCHAPTER I. CULVERTS OR OTHER DRAINAGE SYSTEMS

9 Sec. 756.151. DUTY OF GOVERNMENTAL ENTITY. (a) A state or
10 local governmental entity shall ensure that the intake to each
11 culvert or other enclosed flood or drainage system that the entity
12 is responsible for maintaining is protected by a bar, grate, or
13 other appropriate covering sufficient to ensure that a child may
14 not be swept into the system.

15 (b) A state or local governmental entity shall ensure that a
16 sign warning of the hazard for a child, including the danger for
17 injury or drowning, is clearly posted at the intake to each culvert
18 or other enclosed flood or drainage system that the entity is
19 responsible for maintaining.

20 (c) A state or local governmental entity shall ensure that
21 each culvert or other enclosed flood or drainage system that the
22 entity is responsible for maintaining has a hinged opening or other
23 type of opening and closing mechanism to permit emergency services
24 personnel to access the system.

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1 SECTION 3. Not later than September 1, 2012, a state or
2 local governmental entity shall ensure that each culvert or other
3 enclosed flood or drainage system maintained by the entity complies
4 with the requirements of Section 756.151, Health and Safety Code,
5 as added by this Act.

6 SECTION 4. This Act takes effect September 1, 2011.