

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 487

By: Lucio

S/C on Agriculture & Coastal Resources

3/2/2005

Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

The Texas General Land Office (GLO) manages coastal public land, pursuant to the provisions of Texas Natural Resources Code, Chapter 33. Current law requires persons to apply for a coastal easement (CE) in order to place a structure on coastal public land for purposes connected with ownership of littoral property. When a CE is required, the applicant must obtain authorization from the School Land Board (SLB) before construction can begin; however, the land commissioner has been delegated the authority to approve coastal easement applications for certain minimal projects without SLB authorization. These types of residential CEs are generally issued for a five-year term, and must go through a similar administrative process for each renewal period.

Allowing construction of certain residential piers that currently require the issuance of a CE by the GLO/SLB to be eligible for structure registrations will provide for greater efficiency because they do not require prior approval and do not have to be renewed every five years. Structures that meet the requirements can be built without prior approval and will need to be registered only one time with the GLO/SLB.

C.S.S.B. 487 allows persons who construct piers with specified appurtenant structures for use in conjunction with littoral residential property ownership to submit a structure registration rather than obtaining a coastal easement.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the School Land Board in SECTION 1 (Section 33.115, Natural Resources Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 33.115, Natural Resources Code, as follows:

Sec. 33.115. PIERS. Authorizes the owner of littoral property, without obtaining an easement from the School Land Board (board), to construct a pier on adjacent coastal land which meets certain criteria.

(b) Authorizes the board, in addition to the provisions of Subsection (a), to adopt rules with limitations and requirements that are consistent with the policies stated in Section 33.001 (Policy) of this code that allow an owner of littoral property to construct a pier with associated appurtenances on adjacent coastal public land without first obtaining an easement from the board.

(c) Redesignated from existing Subsection (b) and amended to require the location and dimensions of the pier and description of any associated appurtenances to be registered with the board in the manner provided in this chapter.

SECTION 2. Effective date: upon passage or September 1, 2005.