

BILL ANALYSIS

Senate Research Center
79R8841 RMB-F

H.B. 3340
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Natural Resources
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The General Land Office (GLO) is responsible for maintaining official county maps showing surveys of state-owned lands as well as original surveys of private lands severed from the sovereign. Many of these original surveys were performed in the nineteenth century or earlier. The surveys performed on behalf of the state and private parties are still filed as part of the official records.

Surveys of state lands are required to determine state ownership of property or prepare state property for sale or lease. In some cases, a private survey firm (hired by either the GLO or a private party) completes the necessary survey work and submits a plat and field notes. If an error is discovered, the plat and/or field notes are returned to the surveyor for correction and resubmission. Once a survey and its associated field notes are accepted by the GLO, it is legally presumed to be correct and is made part of the GLO's official records.

A question has recently arisen regarding the responsibility of a surveyor to re-perform a survey already accepted and filed in the records of the GLO.

H.B. 3304 makes it clear that under state law the surveyor is not required to re-perform a survey already accepted and placed in the official records of the GLO.

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 Section 21.044, Natural Resources Code, by adding Subsection (d) to provide that this section does not require the Commissioner of the General Land Office (commissioner) or a surveyor to make a new survey of land or a portion of the land after a survey of the land is accepted by the commissioner for filing in the official records of the General Land Office.

SECTION 2. Effective date: September 1, 2005.