

## **BILL ANALYSIS**

Senate Research Center  
79R4432 QS-F

S.B. 740  
By: Janek  
S/C on Agriculture and Coastal Resources  
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As Filed

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

The purpose of this legislation is to create a line of vegetation in areas where natural inlets occur. The line of vegetation is the line that separates the public beach easements from private property. This line shifts due to erosion and changes over time, which creates problems.

As proposed, S.B. 740 amends the Natural Resources Code to allow a political subdivision, with approval from the General Land Office, to construct a shore protection structure at a natural inlet from the Gulf of Mexico. Under this bill, the seaward side of the shore protection structure becomes the line of vegetation.

### **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 61.017, Natural Resources Code, by adding Subsection (e), as follows:

(e) Provides that in an area of public beach where a shore protection structure constructed as provided by Section 61.022(a)(6) interrupts the natural line of vegetation for a distance of not more than 4,500 feet, the line of vegetation is along the seaward side of the shore protection structure for the distance marked by that structure. Provides that a line of vegetation established under this subsection is the landward boundary of the public beach and of the public easement for all purposes. Provides that the state retains fee title to all submerged land described by Section 11.012 (Gulfward Boundary of Texas).

SECTION 2. Amends Section 61.022, Natural Resources Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Adds Subdivision (6) to provide that the provisions of this subchapter do not prevent a subdivision of the state, other than a county or municipality, acting with the approval of the commissioner of the General Land Office (commissioner), from erecting or maintaining a shore protection structure located in an area on the west side of a natural inlet to the Gulf of Mexico bounded on the east by the bridge abutment for a public bridge over the natural inlet and extending not more than 4,500 feet west along the shoreline. Makes nonsubstantive changes.

(a-1) Authorizes the commissioner, in granting approval of a shore protection structure under Subsection (a)(6), to specify requirements for the design and location of the structure.

SECTION 3. Effective date: upon passage or September 1, 2005.