

BILL ANALYSIS

Senate Research Center

H.B. 2847
By: Berlanga (Truan)
Natural Resources
5-8-97
Engrossed

DIGEST

The 74th Legislature amended Section 61.017, Natural Resources Code, to establish a new boundary line for the public beach on North Padre Island in Nueces County, provided that certain conditions are met. The three conditions included the granting of a perpetual easement for pedestrian use along the seawall, the acquisition of an area for public parking in the center one-third of the seawall, and the establishment of permanent roadway easements at each end of the seawall. In some instances, including certain instances involving the City of Corpus Christi, portions of land acquired by a city for the parking facility may lie outside the center one-third of the seawall. This bill provides that a public parking facility may be located within 300 feet of the center one-third of a certain seawall in order to establish the line of vegetation where a natural vegetation line does not exist.

PURPOSE

As proposed, H.B. 2847 sets forth provisions regarding the line of vegetation in an area of public beach near certain seawalls.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 61.017(c)(1), Natural Resources Code, to require certain conditions under this section to be met prior to September 2, 1997, rather than December 31, 1996, including a condition providing that the fee title to the surface estate to an area for public parking and other public uses adjacent to a certain seawall is located within the center one-third of the length of the seawall or not farther than 300 feet from the center one-third, and has frontage on the seawall for at least 300 linear feet.

SECTION 2. Provides that any court judgment in effect on the effective date of this Act regarding circumstances described by Section 61.017(c)(1), Natural Resources Code, as amended by this Act, is modified by that section, as amended, to the extent that the judgment is in conflict with that section.

SECTION 3 Effective date: September 1, 1997.

SECTION 4. Emergency clause.