

## **BILL ANALYSIS**

Senate Research Center

S.B. 707  
By: Patterson  
Natural Resources  
3-3-97  
As Filed

### **DIGEST**

Currently, the School Land Board does not issue permits for certain structures on coastal public land, but allows existing permits to be sold or assigned. This has created a market for cabin permits, allowing permit holders to sell their permits for increasingly high prices, making public participation more difficult. The expansion of state and federal coastal refuge areas and the evolution of bird rookeries on the coast have rendered a number of these structures unpermittable under current law. Cabins which are damaged by storms may be abandoned and pose a threat to public safety for which the state is potentially liable. Because no new cabin permits are available, a large number of individuals have permanently moored "vessels" on coastal public land to avoid permitting requirements. This bill will expand the regulations for permits for the use of certain structures on coastal public land.

### **PURPOSE**

As proposed, S.B. 707 expands the regulations for permits for the use of certain structures on coastal public land.

### **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 33.004, Natural Resources Code, by amending Subdivision (10) and adding Subdivisions (15)-(17), to redefine "structure," and to define "vessel," "permanently moored," and "unauthorized structure."

SECTION 2. Amends Sections 33.125 and 33.127, Natural Resources Code, as follows:

Sec. 33.125. AUTOMATIC REVOCATION AND TERMINATION OF A PERMIT. Authorizes, rather than requires, the revocation and termination of a permit that authorizes the continued use of a previously unauthorized structure on coastal public land, at the School Land Board's (board) discretion, if the coastal public land on which the structure is located is subsequently leased for public purposes incompatible with the continued presence of the structure. Authorizes the board to authorize the relocation of the structure to another site instead of revoking or terminating the permit.

Sec. 33.127. TERMS AND RENEWAL OF PERMITS. Authorizes permits to be issued for a term to be determined by the board, rather than for a period of not more than five years. Prohibits the combined total number of years of the initial term and any renewal terms granted by the board from exceeding 15 years. Authorizes the board, in its sole discretion and in a manner to be determined by the board, to issue a permit authorizing the continued existence and use of a structure on coastal public land, on the expiration, termination, or cancellation of a permit. Prohibits the board from issuing a new permit after September 1, 2001.

SECTION 3. Repealer: Section 33.124, Natural Resources Code (Permits Prohibited for Certain Structures).

SECTION 4. Provides that, notwithstanding Section 33.127(a), Natural Resources Code, as amended by this Act, a permit issued before the effective date of this Act the term for which, in combination with the initial and previous renewal terms for that permit, will exceed 15 years, is valid until it expires.

SECTION 5. Emergency clause.  
Effective date: upon passage.