

BILL ANALYSIS

Senate Research Center

C.S.S.B. 373
By: Jackson, Mike
Natural Resources
3/11/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The School Land Board (SLB) is responsible for management of the public lands dedicated to the Permanent School Fund (PSF), including the submerged lands underlying the Gulf of Mexico and the coastal bays along the Texas coast. Chapter 33, Texas Natural Resources Code, provides the statutory basis for the SLB's management of those lands. Section 33.119 authorizes the SLB to "issue permits for limited continued use of previously unauthorized structures on coastal public land."

Commonly known as "cabin permits," these permits are limited to the number of structures (cabins) in existence on August 27, 1973. The SLB may not grant a permit that authorizes continued use of a cabin that is located within 1,000 feet of certain properties, including federal or states sanctuaries or refuges, and certain other parks and public lands. This prohibition has become problematic because cabins built before the adoption of this legislation have not been removed nor have their locations been shown to be objectionable. Both federal and state agencies, including the United States Fish and Wildlife Service and the Texas Parks and Wildlife Department, have expressed interest in acquiring the use of cabins for law enforcement, research, education, and outreach efforts. The cabins would also be available for public use.

C.S.S.B. 373 modifies the prohibition to apply only to the approval of cabin permits within 1,000 feet of privately-owned littoral residential property without written consent from the property owner. The SLB would have the authority to issue permits for a cabin within 1,000 feet of uninhabited rural or agricultural lands and within 1,000 feet of wildlife sanctuaries, refuges, and parks.

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 33.124, Natural Resources Code, to prohibit the School Land Board (board) from granting a permit which authorizes the continued use of a structure located within 1,000 feet of a privately owned littoral residential property, without written consent of the littoral owner. Deletes text prohibiting the board from granting a permit authorizing the continued use of a structure located within 1,000 feet of any federal or state wildlife sanctuary or refuge or any federal, state, county, or city park bordering on coastal public land.

SECTION 2. Effective date: September 1, 2005.