

## **BILL ANALYSIS**

Senate Research Center  
81R10400 TRH-F

S.B. 2043  
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International Relations & Trade  
4/7/2009  
As Filed

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

Rollover Pass is located on the Bolivar Peninsula. It is a man-made pass opened in 1954 to facilitate fishing by providing a tidal exchange between the Gulf of Mexico and Rollover Bay. Rollover Pass is also very close to the Gulf Intercoastal Water Way. Maintenance dredging of the pass costs about \$500,000 to \$1 million annually.

Hurricane Ike highlighted the significant erosion problem on Bolivar Peninsula. Rollover Pass contributes to this erosion and closing Rollover Pass would help reduce the current rate of erosion near it.

The Texas Parks and Wildlife Department (TPWD) has authority over fish passes and the General Land Office has authority over costal erosion projects. In 2007, TPWD settled a lawsuit that does not allow it to object to changes to Rollover Pass that will decrease erosion when recommended by another state agency.

As proposed, S.B. 2043 authorizes the commissioner of the General Land Office (commissioner) to close a man-made pass between the Gulf of Mexico and an inland bay if the commissioner determines that the pass causes or contributes to significant erosion of the shoreline of the adjacent beach and the General Land Office receives legislative appropriations or other funding for that purpose.

### **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 Subchapter H, Chapter 33, Natural Resources Code, by adding Section 33.613, as follows:

Sec. 33.613. CLOSURE OF CERTAIN MAN-MADE PASSES. Authorizes the commissioner of the General Land Office (commissioner), notwithstanding Sections 66.204 (Vessels and Obstructions in Fish Passes) and 81.103 (Property Acquisition; Manner and Means), Parks and Wildlife Code, to close a man-made pass between the Gulf of Mexico and an inland bay if the commissioner determines that the pass causes or contributes to significant erosion of the shoreline of the adjacent beach, and the General Land Office receives legislative appropriations or other funding for that purpose.

SECTION 2. Effective date: September 1, 2009.