

By: West

S.B. No. 640

A BILL TO BE ENTITLED

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AN ACT

relating to notice to the State of Texas of a claim against the School Land Board.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 33.171, Natural Resources Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) The state is entitled to receive notice of a claim against the School Land Board under this subchapter not later than the 180th day after the day the incident giving rise to the claim occurred. The notice must reasonably describe:

(1) the action of the board that affected the littoral owner's rights;

(2) the time and place of the board's action; and

(3) the nature of the claim, specifying, as applicable, the manner in which:

(A) the board's action affected the title to or boundary of coastal public land to the detriment of the littoral owner;

(B) the board's action affected an interest in land sought or granted under this chapter; or

(C) the board violated this chapter or a rule adopted by the board under this chapter.

(d) The notice requirement of Subsection (c) is a jurisdictional prerequisite to the institution of suit under this

1 section regardless of actual notice, express or implied, to the  
2 board or the state.

3 SECTION 2. (a) This Act takes effect September 1, 2003.

4 (b) The changes in law made by Subsections (c) and (d),  
5 Section 33.171, Natural Resources Code, as added by this Act, apply  
6 only to a suit against the School Land Board that is brought under  
7 Section 33.171, Natural Resources Code, on or after September 1,  
8 2003.