

1-1 By: West S.B. No. 640  
1-2 (In the Senate - Filed February 21, 2003; February 27, 2003,  
1-3 read first time and referred to Committee on Natural Resources;  
1-4 April 7, 2003, reported favorably by the following vote: Yeas 10,  
1-5 Nays 0; April 7, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to notice to the State of Texas of a claim against the  
1-9 School Land Board.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 33.171, Natural Resources Code, is  
1-12 amended by adding Subsections (c) and (d) to read as follows:

1-13 (c) The state is entitled to receive notice of a claim  
1-14 against the School Land Board under this subchapter not later than  
1-15 the 180th day after the day the incident giving rise to the claim  
1-16 occurred. The notice must reasonably describe:

1-17 (1) the action of the board that affected the littoral  
1-18 owner's rights;

1-19 (2) the time and place of the board's action; and

1-20 (3) the nature of the claim, specifying, as  
1-21 applicable, the manner in which:

1-22 (A) the board's action affected the title to or  
1-23 boundary of coastal public land to the detriment of the littoral  
1-24 owner;

1-25 (B) the board's action affected an interest in  
1-26 land sought or granted under this chapter; or

1-27 (C) the board violated this chapter or a rule  
1-28 adopted by the board under this chapter.

1-29 (d) The notice requirement of Subsection (c) is a  
1-30 jurisdictional prerequisite to the institution of suit under this  
1-31 section regardless of actual notice, express or implied, to the  
1-32 board or the state.

1-33 SECTION 2. (a) This Act takes effect September 1, 2003.

1-34 (b) The changes in law made by Subsections (c) and (d),  
1-35 Section 33.171, Natural Resources Code, as added by this Act, apply  
1-36 only to a suit against the School Land Board that is brought under  
1-37 Section 33.171, Natural Resources Code, on or after September 1,  
1-38 2003.

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