

BILL ANALYSIS

H.B. 3340
By: Hughes
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The General Land Office (GLO) is responsible for maintaining official county maps showing surveys of state-owned lands as well as original surveys of private lands severed from the sovereign. Many of these original surveys were performed in the nineteenth century or earlier, and surveys performed on behalf of the State of Texas and private parties are still filed as part of the official records of the GLO.

Surveys of state lands are required to determine state ownership of property or prepare state property for sale or lease. In some cases, private survey firms (hired by either the GLO or a private party), completes the necessary survey work and submits a plat and field notes. If the GLO's Surveying Division discovers an error on the plat or field notes, they are returned to the surveyor for correction and resubmission. Once a survey and its associated field notes are accepted by the GLO, it is legally presumed to be correct and is made part of the GLO's official records.

A question has recently arisen regarding the responsibility of a surveyor to re-perform a survey already accepted and filed in the records of the GLO.

The purpose of HB 3340 is to make sure state law is clear that a surveyor is not required to re-perform a survey already accepted and placed in the official records of the GLO.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. *Amends Section 21.044, Natural Resources Code, by adding Subsection (d), as follows:*

Confirms that nothing in this section shall require the commissioner or any private surveyor to re-perform all or part of a survey already accepted for filing in the official records of the GLO.

SECTION 2. Effective Date.

EFFECTIVE DATE

September 1, 2005