

By: Kuempel

H.B. No. 1397

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the exclusion of sand and gravel as a mineral for
3 leasing on state land.

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

5 SECTION 1. Subchapter C. Chapter 53.061, Natural Resources
6 Code, is amended to read as follows:

7 (a) The state constitutes the owner of the surface and its
8 agent to lease to any person any mineral, except oil and gas or sand
9 and gravel, which may be within all or part of a survey previously
10 sold with all minerals reserved to the state.

11 (b) The lease shall be made on terms and conditions that may
12 be prescribed by the school land board.

13 SECTION 2. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2005.