

By: Bonnen, et al.

H.B. No. 3986

Substitute the following for H.B. No. 3986:

By: Orr

C.S.H.B. No. 3986

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the closure of certain man-made passes between the Gulf  
3 of Mexico and inland bays by the commissioner of the General Land  
4 Office.

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

6 SECTION 1. Subchapter H, Chapter 33, Natural Resources  
7 Code, is amended by adding Section 33.613 to read as follows:

8 Sec. 33.613. CLOSURE OF CERTAIN MAN-MADE PASSES. (a)  
9 Notwithstanding Sections 66.204 and 81.103, Parks and Wildlife  
10 Code, the commissioner may close a man-made pass between the Gulf of  
11 Mexico and an inland bay if:

12 (1) the commissioner determines that the pass causes  
13 or contributes to significant erosion of the shoreline of the  
14 adjacent beach;

15 (2) the pass is not a public navigational channel  
16 constructed or maintained by the federal government; and

17 (3) the land office receives legislative  
18 appropriations or other funding for that purpose.

19 (b) If the closing of a man-made pass under this section  
20 results in a loss of public recreational opportunities, the  
21 commissioner shall develop, in consultation with the Parks and  
22 Wildlife Department and the county and, if applicable, the  
23 municipality in which the pass is located, and approve a plan to  
24 mitigate the loss. The plan must be presented to the public for

1 comment before the commissioner approves it.

2 SECTION 2. This Act takes effect September 1, 2009.