

BILL ANALYSIS

Senate Research Center
82R8409 RWG-F

S.B. 801
By: Hegar
Natural Resources
3/11/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 1983 during the 68th Legislature, Regular Session, H.B. 2414 was passed which allowed for the creation of the Palacios Area Seawall Commission District (district). The Seawall Commission (commission) was created by Matagorda County on June 27, 1983. The commission has jurisdiction only in county commissioners precinct number 3 in Matagorda County, excluding the municipality of Bay City. The commission is composed of a board of three members, each of whom is appointed differently. One member is appointed by the commissioners court, one member is appointed by the governing body of the municipality, and one member is appointed by the commissioners court and the governing body of the municipality, acting jointly.

The commission's powers are laid out under Sections 571.002 (Authorized Projects; Debt), 571.003 (Use of Public Property), 571.004 (Acquisition of Property; Eminent Domain), 571.005 (Cession of Use and Control of State Land), and Sections 571.011(a) or (b), Local Government Code. As it now stands, the powers of the commission relate to the general maintenance, construction, and improvement of a seawall, breakwater, levee, floodway, or drainway, as well as beach renourishment and erosion response projects.

S.B. 801 would extend the powers of this special district to allow it to establish, construct, and maintain recreational facilities for public use adjacent to the seawall in Matagorda County.

As proposed, S.B. 801 amends current law relating to the authority of the seawall commission in Matagorda County to build and maintain recreational facilities near the seawall.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 9501, Special District Local Laws Code, by adding Section 9501.1015, as follows:

Sec. 9501.1015. RECREATIONAL FACILITIES. Authorizes a seawall commission established under Section 9501.002 (Authority to Establish Commission) to establish, construct, and maintain recreational facilities for public use adjacent to the seawall in Matagorda County.

SECTION 2. Effective date: upon passage or September 1, 2011.