

By: Gallego

H.B. No. 3696

A BILL TO BE ENTITLED

AN ACT

relating to concurrent state and federal legislative jurisdiction over units of the national park system in this state.

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

SECTION 1. Subchapter A, Chapter 23, Parks and Wildlife Code, is amended by adding Section 23.0011 to read as follows:

Sec. 23.0011. CIVIL AND POLITICAL RIGHTS OF PARK RESIDENTS.

The civil and political rights of a person who resides inside the boundaries of Big Bend National Park and applicable portions of the Rio Grande Wild & Scenic River are preserved and are not impaired by this state's acceptance of concurrent legislative jurisdiction under Section 23.051 of this chapter.

SECTION 2. Chapter 23, Parks & Wildlife Code, is amended by adding Subchapter E, Section 23.051, to read as follows:

Sec. 23.051. Concurrent Legislative Jurisdiction. (a)

Simultaneously with the acceptance of concurrent legislative jurisdictional authorized by subsection (b) of this section, the Governor, on behalf of the state, shall cede to the United States concurrent legislative jurisdiction over all lands and waters now owned or hereafter acquired by the United States within the boundaries of any unit of the national park system in the state that are or would be, if not for this cession, under proprietorial federal jurisdiction. This cession of jurisdiction will be effective when an authorized official of the National Park Service,

1 United States Department of the Interior, accepts it in writing.

2 (b) Simultaneously with the cession of concurrent
3 legislative jurisdiction authorized by subsection (a) of this
4 section, the Governor, on behalf of the state, and shall accept from
5 an authorized official of the National Park Services, United States
6 Department of the Interior, a retrocession of concurrent
7 legislative jurisdiction over the lands and waters within the
8 boundaries of Big Bend National Park and the Rio Grande Wild and
9 Scenic River, Texas, that now are under exclusive federal
10 Jurisdiction.

11 SECTION 3. (a) Not later than October 1, 2011, the governor
12 shall forward a copy of this Act to an authorized official of the
13 National Park Service, United Sates Department of the Interior, to
14 request consideration and acceptance of the changes in jurisdiction
15 proposed in this Act.

16 (b) If the Governor receives written confirmation from an
17 authorized official of the National Park Service, United States
18 Department of the Interior, that the National Park Service accepts
19 the changes in jurisdiction made by this Act, the Governor shall
20 publish in the Texas Register a notice of that confirmation. The
21 Governor shall publish notice not later that the 21st day after the
22 date the confirmation is received.

23 SECTION 4. (a) Sections 1 and 2 of this Act will take effect
24 on the date of which the Governor publishes the notice required by
25 Section 3 of this Act. If the required notice is not published by
26 September 1, 2012, then sections 1 and 2 of this Act will have no
27 effect.

1 (b) Section 3 of this Act and this section take effect
2 immediately if this act receives a vote of two-thirds of all the
3 members elected to each house, as provided by Section 39, Article
4 III, Texas Constitution. If this Act does not receive the vote
5 necessary for Section 3 and this section to take effect
6 immediately, Section 3 and this section take effect September 1,
7 2011.