

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 25, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3459** by Eiland (Relating to access to and protection of certain coastal areas.),
Conference Committee Report

<p>No significant fiscal implication to the State is anticipated.</p>

The bill would amend portions of the Natural Resources Code to allow the Land Commissioner of the General Land Office (GLO) to temporarily suspend determinations of the line of vegetation when a meteorological event, as defined, obliterates the line. The line of vegetation, which helps establish the extent of the public beach, would be set temporarily at 200 feet landward from the line of mean low-tide.

Under the bill, the Land Commissioner can temporarily suspend the line of vegetation for a period of up to three years. The Land Commission could consult with the Bureau of Economic Geology of The University of Texas at Austin. Any suspension would be posted and published as appropriate. Ultimately, a final determination of the line of vegetation could be determined by court order. GLO would also identify whether federal funding were available for projects to protect the upper Texas Coast. GLO indicates any costs to implement bill provisions could reasonably be absorbed within the agency's existing resources.

The Environmental Protection Division of the Office of the Attorney General does not anticipate that the bill will increase the caseload or the complexity of Open Beaches cases. This analysis anticipates UT Austin could handle any additional duties relating to assisting GLO within existing resources.

Finally, the bill provides that the legislature conduct a joint interim study relating to the construction of a coastal barrier in the Houston-Galveston region, with a report due no later than December 1, 2014. This portion of bill provisions is not anticipated to represent any significant fiscal implication to the state.

The bill would take effect September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 802 Parks and Wildlife Department, 302 Office of the Attorney General

LBB Staff: UP, SZ, TB, SD