

By: Leach

H.B. No. 2887

A BILL TO BE ENTITLED

AN ACT

Relating to the definition of a "Navigable stream".

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

SECTION 1. Section 21.001 (3), Natural Resources Code, is amended to read as follows:

Sec. 21.001(3). DEFINITIONS. In this chapter,

(a) "Navigable stream" means a stream or river which retains an average width of 30 feet from the mouth up-, and which maintains a constant water depth of 12 inches or greater.

SECTION 2. Section 11.096, Water Code, is amended to read as follows:

(a) No person may obstruct ~~the navigation of any stream a navigable stream which can be navigated by steamboats, keelboats, or flatboats~~ by cutting and felling trees or by building on or across the stream any dike, milldam, bridge, or other obstruction.

(b) A fence built or maintained for the purpose of the containment of livestock shall not be a violation under this section.

SECTION 3: This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.