88R6893 ANG-D

By:  Leo-Wilson H.B. No. 3859

A BILL TO BE ENTITLED

AN ACT

relating to the approval of beach access and use plans by the commissioner of the General Land Office.

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

SECTION 1.  Section 61.015, Natural Resources Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (b-2) to read as follows:

(b)  Local governments shall submit proposed beach access and use plans to the commissioner for certification as to compliance with such policies and rules. The commissioner shall act on a local government's proposed beach access and use plan within 90 days of submission by [~~either~~] approving the plan, partially approving the plan and identifying geographic areas of noncompliance, or denying certification.

(b-1)  In the event of a partial approval under Subsection (b), the local government may adopt rules and requirements for the portion of the plan that has been approved.

(b-2)  In the event of denial under Subsection (b), the commissioner shall send the proposed plan back to the originating local government with a statement of specific objections and the reasons for denial, along with suggested modifications. On receipt, the local government shall revise and resubmit the plan. The commissioner's certification of local government plans shall be by adoption into the rules under Section 61.011.

SECTION 2.  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, 2023.