

By: Cain

H.J.R. No. 128

A JOINT RESOLUTION

1 proposing a constitutional amendment regarding the terminology
2 used in the Texas Constitution to refer to the partially landlocked
3 body of water on the southeastern periphery of the North American
4 continent.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 33, Article I, Texas Constitution, is
7 amended to read as follows:

8 Sec. 33. PUBLIC ACCESS TO AND USE OF PUBLIC BEACHES. (a) In
9 this section, "public beach" means a state-owned beach bordering on
10 the seaward shore of the Gulf of America [~~Gulf of Mexico~~], extending
11 from mean low tide to the landward boundary of state-owned
12 submerged land, and any larger area extending from the line of mean
13 low tide to the line of vegetation bordering on the Gulf of America
14 [~~Gulf of Mexico~~] to which the public has acquired a right of use or
15 easement to or over the area by prescription or dedication or has
16 established and retained a right by virtue of continuous right in
17 the public under Texas common law.

18 SECTION 2. Section 1-i, Article VIII, Texas Constitution,
19 is amended to read as follows:

20 Sec. 1-i. MOBILE MARINE DRILLING EQUIPMENT; AD VALOREM TAX
21 RELIEF. The legislature by general law may provide ad valorem tax
22 relief for mobile marine drilling equipment designed for offshore
23 drilling of oil or gas wells that is being stored while not in use in
24 a county bordering on the Gulf of America [~~Gulf of Mexico~~] or on a

1 bay or other body of water immediately adjacent to the Gulf of
2 America [~~Gulf of Mexico~~].

3 SECTION 3. Section 1-A, Article IX, Texas Constitution, is
4 amended to read as follows:

5 Sec. 1-A. AUTHORITY OF COASTAL COUNTIES TO REGULATE MOTOR
6 VEHICLES AND LITTERING ON BEACHES. The Legislature may authorize
7 the governing body of any county bordering on the Gulf of America
8 [~~Gulf of Mexico~~] or the tidewater limits thereof to regulate and
9 restrict the speed, parking and travel of motor vehicles on beaches
10 available to the public by virtue of public right and the littering
11 of such beaches.

12 Nothing in this amendment shall increase the rights of any
13 riparian or littoral landowner with regard to beaches available to
14 the public by virtue of public right or submerged lands.

15 The Legislature may enact any laws not inconsistent with this
16 Section which it may deem necessary to permit said counties to
17 implement, enforce and administer the provisions contained herein.
18 Should the Legislature enact legislation in anticipation of the
19 adoption of this amendment, such legislation shall not be invalid
20 by reason of its anticipatory character.

21 SECTION 4. Section 7, Article XI, Texas Constitution, is
22 amended to read as follows:

23 Sec. 7. COUNTIES AND CITIES ON GULF OF AMERICA [~~GULF OF~~
24 ~~MEXICO~~]; TAX FOR SEA WALLS, BREAKWATERS, AND SANITATION; BONDS;
25 CONDEMNATION OF RIGHT OF WAY. (a) All counties and cities
26 bordering on the coast of the Gulf of America [~~Gulf of Mexico~~] are
27 hereby authorized upon a vote of the majority of the qualified

1 voters voting thereon at an election called for such purpose to levy
2 and collect such tax for construction of sea walls, breakwaters, or
3 sanitary purposes, as may now or may hereafter be authorized by law,
4 and may create a debt for such works and issue bonds in evidence
5 thereof. But no debt for any purpose shall ever be incurred in any
6 manner by any city or county unless provision is made, at the time
7 of creating the same, for levying and collecting a sufficient tax to
8 pay the interest thereon and provide at least two per cent (2%) as a
9 sinking fund, except as provided by Subsection (b); and the
10 condemnation of the right of way for the erection of such works
11 shall be fully provided for.

12 SECTION 5. This proposed constitutional amendment shall be
13 submitted to the voters at an election to be held on November 4,
14 2025. The ballot shall be printed to provide for voting for or
15 against the proposition: "The constitutional amendment
16 redesignating references in the Texas Constitution to the partially
17 landlocked body of water on the southeastern periphery of the North
18 American continent, commonly known as the "Gulf of Mexico", to the
19 "Gulf of America.""