

By: Dutton

H.J.R. No. 54

A JOINT RESOLUTION

1 proposing a constitutional amendment establishing the boundaries
2 of public beaches and declaring that the state holds public beaches
3 in trust for the use of the public.

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

5 SECTION 1. Section 33, Article I, Texas Constitution, is
6 amended by amending Subsection (a) and adding Subsection (a-1) to
7 read as follows:

8 (a) In this section, "public beach" means a state-owned
9 beach bordering on the seaward shore of the Gulf of Mexico,
10 extending from mean low tide to the landward boundary of
11 state-owned submerged land, and any larger area extending from the
12 line of mean low tide to the line of vegetation bordering on the
13 Gulf of Mexico, as the line of vegetation may shift over time as a
14 result of avulsive events or other natural forces [~~to which the~~
15 ~~public has acquired a right of use or easement to or over the area by~~
16 ~~prescription or dedication or has established and retained a right~~
17 ~~by virtue of continuous right in the public under Texas common law~~].

18 (a-1) In accordance with longstanding custom, the state
19 holds public beaches in trust for the free and unrestricted use of
20 the public.

21 SECTION 2. This proposed constitutional amendment shall be
22 submitted to the voters at an election to be held November 5, 2013.
23 The ballot shall be printed to permit voting for or against the
24 proposition: "The constitutional amendment establishing the

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1 boundaries of public beaches and declaring that the state holds
2 public beaches in trust for the use of the public."