

2021 Regular Session

HOUSE BILL NO. 399

BY REPRESENTATIVE CARRIER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC LANDS/STATE: Allows state and private landowners to enter into boundary agreements concerning disputed property

1 AN ACT

2 To enact Part III of Chapter 4 of Title 41 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 41:211, relative to water bottom boundary agreements; to provide
4 for water bottom boundary agreements between state and private landowners; to
5 provide certain terms, conditions, procedures, and requirements; to provide for an
6 effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part III of Chapter 4 of Title 41 of the Louisiana Revised Statutes of 1950,
9 to be comprised of R.S. 41:211, is hereby enacted to read as follows:

10 PART III. WATER BOTTOM BOUNDARY AGREEMENTS

11 §211. Authority to enter water bottom boundary agreements

12 A. The commissioner of administration may enter into agreements with
13 riparian landowners to establish a permanent, fixed boundary within a body of water,
14 regardless of its current or future navigability and regardless of whether the body of
15 water is a lake, river, stream, or seashore, which establishes ownership of the water
16 bottom and the underlying mineral rights as between the state and the riparian owner.

17 B. The agreements shall provide that ownership of the portion of the water
18 bottom allocated to the riparian landowner may extend to future water bottoms,
19 regardless of navigability, created by subsequent erosion, subsidence, rising sea
20 levels, or other similar loss of the riparian land.

Effective if and when the proposed amendment of Article IX, §§3 and 4(A) of the Constitution of Louisiana contained in the Act which originated as HB ____ of the 2021 R.S. is adopted at the statewide election to be held on Nov. 8, 2022, and becomes effective.

(Adds R.S. 41:211)