

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 391** SLS 24RS 656

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 14, 2024	4:44 PM	Author: CARTER, GARY
Dept./Agy.: Statewide		Analyst: Richie Anderson
Subject: Use of public things and obstruction of public use		

CIVIL PROCEDURE

OR NO IMPACT See Note

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Provides relative to the use of public things and obstruction of public use. (8/1/24)

Present law within Civil Code (CC) 452 states that everyone has the right to fish in rivers, ports, and harbors. Proposed law adds waters of the state accessible by a naturally navigable water body and the right to land on banks for public use.

Present law in CC 458 requires that all works built on public things without lawful permits may be removed at the expense of whoever built it. Includes works built on things such as the sea, the seashore, and the bottom of natural navigable waters. Proposed law changes natural "navigable waters" to "water bodies comprised of running waters of the state".

Finally, proposed law amends CC 3413 regarding the ability for any landowner to forbid entry to anyone for purposes of hunting and fishing to add that the landowner is subject to the rights of the public to use public things in accordance with CC 452.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
Deputy Fiscal Officer