

2016 Regular Session

HOUSE BILL NO. 564

BY REPRESENTATIVE RICHARD

WATERWAYS: Provides relative to authorized uses of the banks of navigable rivers and streams

1 AN ACT

2 To amend and reenact Civil Code Article 456, relative to banks of navigable rivers or
3 streams; to provide for the definition of "public use"; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Civil Code Article 456 is hereby amended and reenacted to read as
7 follows:

8 Art. 456. Banks of navigable rivers or streams.

9 The banks of navigable rivers or streams are private things that are subject
10 to public use. For purposes of this Article,"public use" shall include but is not
11 limited to fishing.

12 The bank of a navigable river or stream is the land lying between the ordinary
13 low and the ordinary high stage of the water. Nevertheless, when there is a levee in
14 proximity to the water, established according to law, the levee shall form the bank.

DIGEST

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HB 564 Original

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Richard

Abstract: Includes fishing as an authorized public use of the bank of a navigable stream or waterway.

Present law provides that the banks of navigable rivers or streams are private things that are subject to public use. Further provides that the bank of a navigable river or stream is the land lying between the ordinary low and the ordinary high stage of the water.

Present law provides that when there is a levee in proximity to the water, established according to law, the levee shall form the bank.

Proposed law defines that "public use" includes, but is not limited to fishing.

(Amends C.C. Art. 456)