



1           (1) The leasing of state lands or water bottoms for mineral or other purposes.

2           (2) The state from alienating the bed of a navigable water body for the  
3           purpose of reclamation by the riparian owner to recover land lost through erosion,  
4           subsidence, or sea level rise.

5           (3) The state from entering into agreements with riparian landowners to  
6           establish a permanent, fixed boundary within a body of water, regardless of its  
7           navigability and regardless of whether the body of water is a lake, river, stream, or  
8           seashore, which establishes ownership between the state and the riparian owner. This  
9           boundary, once established, shall not alter or affect ownership of the portion of the  
10           water bottom allocated to the riparian landowner, regardless of its present or future  
11           navigability, and shall extend to any water bottom, whether navigable or not, created  
12           by subsequent erosion, subsidence, sea level rise, or other similar loss of the riparian  
13           land.

14           (4) The state from accepting a donation of any riparian landowner owned or  
15           claimed lands or water bottoms, subject to perpetual reservation of minerals,  
16           regardless of any subsequent erosion, subsidence, sea level rise, or other similar loss  
17           of the land donated, or of the present or future navigability of the water bottom  
18           donated.

19           (5) An agreement or donation authorized by Subparagraph (3) or (4) of this  
20           Paragraph shall provide , at a minimum, that the public has a permanent right of  
21           reasonable, regulated access over an agreed portion of the water bottoms allocated  
22           to the riparian landowner, which shall proportionately extend to and over future  
23           water bottoms created from the riparian land as a result of natural erosion,  
24           subsidence, or sea level rise, or other similar loss, regardless of such water bottom's  
25           present or future navigability.

26           (6) Subparagraphs (3), (4), and (5) of this Paragraph shall only apply to the  
27           coastal zone as set forth in R.S. 49:214.24.

28           (7) The state is authorized to enter into negotiations with riparian landowners  
29           relative to surface and mineral ownership interests pursuant to Subparagraphs (3),



- 1 navigability and regardless of whether the water bottom forms part of a lake,  
 2 river, or stream, in return for reasonable, regulated public access over  
 3 portions of the water bottoms allocated to the landowner?  
 4 (Amends Article IX, Sections 3 and 4(A))

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 331 Reengrossed

2021 Regular Session

Bourriaque

**Abstract:** Authorizes the state to enter into agreements with riparian landowners to establish a permanent, fixed boundary between state owned or claimed and privately owned or claimed water bottoms.

Present constitution prohibits the state from alienating the bed of a navigable water body except for purposes of reclamation by the riparian owner of property lost through erosion. Further, requires that the reclamation of water bottoms be only for public use, except as provided in present constitution.

Present constitution provides that the prohibition on alienating the water bottoms of navigable water bodies does not apply to leasing of water bottoms for minerals or other purposes.

Proposed constitution authorizes the state to enter into agreements with riparian landowners to establish a permanent, fixed boundary between state owned or claimed and privately owned or claimed water bottoms, regardless of the navigability of the water body.

Proposed constitution authorizes the state in such agreements to accept a donation of any riparian landowner owned or claimed lands or water bottoms, subject to a perpetual reservation of minerals, regardless of any subsequent erosion or loss of the land donated, or of the present or future navigability of the water bottom donated. However, all such agreements must provide, at minimum, that the public enjoy a permanent right of reasonable, regulated public access over all present water bottoms allocated to the riparian landowner and all future water bottoms created from the riparian land as a result of natural erosion, subsidence or rising sea levels.

Proposed constitution authorizes the state to negotiate surface and mineral interests with riparian land owners.

Specifies submission of the amendment to the voters at the statewide election to be held on Nov. 7, 2084.

(Amends Article IX, §§3 and 4(A))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Clarify that certain proposed law provisions only apply to the coastal zone.

2. Authorize the state to negotiate surface and mineral interests with riparian land owners.
3. Specify that "at a minimum" agreements entered into between the state and riparian land owners include certain information.

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill:

1. Remove the term "riparian" from the ballot language.
2. Change proposed election date to Nov. 7, 2084.