
DIGEST

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HB 399 Engrossed

2021 Regular Session

Carrier

Abstract: Allows for the state and private landowners to enter into water bottom boundary agreements concerning disputed property.

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

Proposed law authorizes the state in such agreements to accept a donation of any lands or water bottoms owned or claimed by any riparian landowner, 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.

Proposed law requires all agreements and donations, at a minimum, describe the specific area of the water bottom and provide that the public has 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.

Effective if and when the proposed amendment of Article IX, §§3 and 4(A) of the Constitution of La. contained in the Act which originated as HB 331 of the 2021 R.S. is adopted at the statewide election to be held on Nov. 8, 2022, and becomes effective.

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

(Adds R.S. 41:211)

Summary of Amendments Adopted by House

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

1. Authorize the state to negotiate surface and mineral interests with riparian land owners.
2. Add the House Bill number for the proposed constitutional amendment that accompanies the enabling legislation.

3. Specify that "at a minimum" agreements entered into between the state and riparian land owners include certain information.