



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 231** HLS 19RS 777

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.: **REVISED**

Date: April 30, 2019	7:39 AM	Author: PEARSON
Dept./Agy.: Natural Resources		
Subject: Public access to running waters		Analyst: David Neef

WATERWAYS/NAVIGATION

OR SEE FISC NOTE GF EX

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Provides for public access to the running waters of the state

Proposed law provides that no person may restrict or prohibit the public navigation of running waters which are navigable by a motorboat required to be registered or numbered pursuant to the laws of the state or the United States. Provides that shall not apply to running waters passing over privately owned water bottoms, where navigation has been prevented or impeded by an obstacle constructed pursuant to a coastal use permit granted by the Department of Natural Resources. Provides exceptions for running waters during any open migratory waterfowl season, certain public or private lands, and certain maritime facilities or their surrounding areas. Specifies that this does not establish a change in ownership of the bottoms and banks of any privately owned waterway.

EXPENDITURES	2019-20	2020-21	2021-22	2022-23	2023-24	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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						

REVENUES	2019-20	2020-21	2021-22	2022-23	2023-24	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 will be an indeterminable impact on expenditures of the state.

Previous testimony indicates legal challenges would likely occur in the event the proposed legislation is enacted into law. The Attorney General would be responsible for representing the state and may incur additional expenses depending upon the complexity of the litigation. The LFO is unable to provide any estimate of potential impact to the state, as any liability associated with public access on navigable waters of the state over private water bottoms would be determined by a ruling of the court. Furthermore, the duration of any such legal action and when such ruling might occur is unknown.

REVENUE EXPLANATION

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

Senate	Dual Referral Rules	House	<i>Evan Brasseaux</i>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	Evan Brasseaux
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	Staff Director