

BILL ANALYSIS

Senate Research Center

H.B. 3024
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Natural Resources
5/18/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

When managing waters to develop better recreational fishing, a problem was discovered in the language of current statute. When a private owner desires to thin his fish population, the owner cannot remove private fish without first having a TDA Fish Farm license, approval from the Texas Parks and Wildlife Department, and a letter from TCEQ stating that the landowner does not need a wastewater discharge permit. All of these actions are unnecessary when the only purpose for the removal of the fish is private water and private fish management.

H.B. 3024 provides that no fish farming license is required for the sale of fish provided that the sale meets certain requirements which are set forth.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 134, Agriculture Code, by adding Section 134.018, as follows:

Sec. 134.018. LICENSE NOT REQUIRED FOR SALE OF CERTAIN FISH. (a)
Provides that an agriculture license is not required for the sale of certain specified fish.

(b) Requires the owner of a private facility to notify the Parks and Wildlife Department at least 24 hours before the sale of fish under this section.

(c) Requires the seller, not later than the 30th day after the sale of fish under this section, to submit a copy of the invoice for the sale to the Parks and Wildlife Department. Requires the seller and the buyer to maintain a record of the sale for not less than one year. Requires the record to contain at least certain information.

(d) Provides that Sections 66.020 (Sale and Purchase of Protected Fish) and 66.111 (Sale and Purchase of Certain Fish), Parks and Wildlife Code, do not apply to a sale under this section.

SECTION 2. Effective date: September 1, 2005.