

BILL ANALYSIS

Senate Research Center
80R5338 ABC-D

S.B. 620
By: Jackson, Mike
S/C on Ag., Rural Affairs & Coastal Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Oyster leases are marked by buoys on the four corners of the lease. Current statute mandates that the lease permit holder maintain the buoys in the correct spot at all times. If the buoys are not in their proper positions, no person may be prosecuted for taking oysters from the oyster lease.

Because the buoys are not permanently fixed to the bay bottom, they can be moved by boats hitting them or be intentionally moved. Allowing lease permit holders the option of using a fixed permanent marker will create an exact unmovable point that marks the boundaries of the lease.

As proposed, S.B. 620 requires oyster lease permit holders to use buoys or other permanent markers to mark the boundaries of an oyster lease.

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 Section 76.036(a), Parks and Wildlife Code, to require a holder of an oyster permit to clearly and distinctly mark the boundaries of the areas designated to take or deposit oysters using buoys or other permanent markers easily visible above the surface of the water.

SECTION 2. Effective date: upon passage or September 1, 2007.