

BILL ANALYSIS

Senate Research Center
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S.B. 1204
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1204 exempts school-based aquaponics programs from certain state-assessed fees. There is an increasing interest in aquaponics programs in Texas schools, which mix aquaculture (growing fish in a recirculating water system) with hydroponics (growing plants without soil). Such aquaponic systems typically include growing produce in conjunction with a fish ranch, where plants derive nutrients from water rich with fish excrement, rather than from the soil. Through this process students learn about water science, plant life, food technology, agribusiness, wildlife, and ecology management.

While building these programs, schools may encounter certain state fees. According to the Texas Parks and Wildlife Department (TPWD), an Exotic Species Permit may be necessary, depending on the type of fish at issue. Additionally, a two-year aquaculture license from the Texas Department of Agriculture (TDA) is a prerequisite for the exotic species permit. Taken together, these may cost a school more than \$300. This may be burdensome for small school programs already facing aquaculture implementation costs.

S.B. 1204 requires TPWD and TDA to waive just these specific fees when requested by a public school that intends to operate an educational aquaponics program. To receive a waiver, a school must submit an application to the agencies showing that the school's program meets these requirements.

As proposed, S.B. 1204 amends current law relating to a waiver of fees by TDA and TPWD for certain educational programs involving aquaculture and hydroponics.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 1 (Section 134.014, Agriculture Code) of this bill

Rulemaking authority is expressly granted to the Parks and Wildlife Commission in SECTION 2 (Section 66.007, Parks and Wildlife Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 134.014, Agriculture Code, as follows:

Sec. 134.014. New heading: LICENSE FEES; WAIVERS. (a) Creates this subsection from existing text. Requires the Texas Department of Agriculture (TDA) to issue an aquaculture license or a fish farm vehicle license on completion of applicable license requirements and the payment of a fee by the applicant, as provided by TDA rule.

(b) Requires TDA by rule to waive the initial and renewal aquaculture license fees if the license or license renewal is requested by a public school to establish and maintain an educational program that will give students experience with a sustainable system of agriculture that mixes aquaculture and hydroponics. Requires the school, to qualify for the fee waiver, to submit an application to TDA showing that the school's program meets TDA's requirements, including requirements for supervision, handling of the fish species, and control of wastes.

SECTION 2. Amends Section 66.007, Parks and Wildlife Code, by adding Subsection (c-1), as follows:

(c-1) Requires the Parks and Wildlife Commission (commission) by rule to waive the initial and renewal fees for an exotic species permit if the permit or permit renewal is requested by a public school to establish and maintain an educational program that will give students experience with a sustainable system of agriculture that mixes aquaculture and hydroponics. Requires the school, to qualify for the fee waiver, to submit an application to the Texas Parks and Wildlife Department (TPWD) showing that the school's program meets TPWD's requirements, including requirements for supervision, handling of the exotic species, and control of wastes.

SECTION 3. (a) Requires TDA to adopt rules required to implement Section 134.014, Agriculture Code, as amended by this Act, not later than December 31, 2015.

(b) Requires the Parks and Wildlife Commission to adopt rules required to implement Section 66.007(c-1), Parks and Wildlife Code, as added by this Act, not later than December 31, 2015.

SECTION 4. Effective date: upon passage or September 1, 2015.