

1-1 By: Darby (Senate Sponsor - Flores) H.B. No. 2038  
 1-2 (In the Senate - Received from the House April 25, 2019;  
 1-3 April 30, 2019, read first time and referred to Committee on Water  
 1-4 & Rural Affairs; May 15, 2019, reported favorably by the following  
 1-5 vote: Yeas 7, Nays 0; May 15, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to certain offenses relating to disturbing or taking marl,  
 1-18 sand, gravel, shell, or mudshell or disturbing oyster beds or  
 1-19 fishing waters; increasing the criminal penalty.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 86.022, Parks and Wildlife Code, is  
 1-22 amended to read as follows:

1-23 Sec. 86.022. PENALTY. (a) A person who violates Section  
 1-24 86.002 [~~or 86.018~~] commits an offense that is a Class B [~~C~~] Parks  
 1-25 and Wildlife Code misdemeanor.

1-26 (b) A person who violates Section 86.018 commits an offense  
 1-27 that is a Class C Parks and Wildlife Code misdemeanor.

1-28 SECTION 2. The change in law made by this Act applies only  
 1-29 to an offense committed on or after the effective date of this Act.  
 1-30 An offense committed before the effective date of this Act is  
 1-31 governed by the law in effect on the date the offense was committed,  
 1-32 and the former law is continued in effect for that purpose. For  
 1-33 purposes of this section, an offense was committed before the  
 1-34 effective date of this Act if any element of the offense occurred  
 1-35 before that date.

1-36 SECTION 3. This Act takes effect immediately if it receives  
 1-37 a vote of two-thirds of all the members elected to each house, as  
 1-38 provided by Section 39, Article III, Texas Constitution. If this  
 1-39 Act does not receive the vote necessary for immediate effect, this  
 1-40 Act takes effect September 1, 2019.

1-41 \* \* \* \* \*