

1-1 By: Lozano (Senate Sponsor - Zaffirini) H.B. No. 2218
1-2 (In the Senate - Received from the House April 15, 2019;
1-3 April 17, 2019, read first time and referred to Committee on Water
1-4 & Rural Affairs; May 20, 2019, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 May 20, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Perry	X		
1-10	Creighton	X		
1-11	Alvarado	X		
1-12	Johnson	X		
1-13	Kolkhorst	X		
1-14	Rodríguez	X		
1-15	Taylor	X		

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 2218 By: Creighton

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to creating a Class C menhaden boat license; imposing a
1-20 fee; requiring a license.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 47.008, Parks and Wildlife Code, is
1-23 amended by amending Subsections (a) and (d) and adding Subsection
1-24 (a-1) to read as follows:

1-25 (a) A boat may not be used for the purpose of catching,
1-26 storing, and transporting menhaden in tidal water unless the owner
1-27 of the boat has acquired:

1-28 (1) a Class A menhaden boat license; or

1-29 (2) a Class C menhaden boat license.

1-30 (a-1) The holder of a Class C menhaden boat license may not
1-31 take or harvest from the public water of the state more than 300
1-32 pounds a day of menhaden or an amount set by the department.

1-33 (d) The commission shall set the license fee for each [~~Class~~
1-34 ~~B~~] menhaden boat for each yearly period:

1-35 (1) in an amount not less than \$2,000 for a Class A
1-36 menhaden boat license;

1-37 (2) in an amount not to exceed \$50 for a Class B
1-38 menhaden boat license; and

1-39 (3) at \$420 for a Class C menhaden boat license.

1-40 SECTION 2. Section 47.038, Parks and Wildlife Code, is
1-41 amended by amending Subsection (a) and adding Subsection (a-1) to
1-42 read as follows:

1-43 (a) Except as provided by Subsection (a-1), nets [~~Nets~~] or
1-44 purse seines used for catching menhaden may not be:

1-45 (1) less than one and one-half inch stretched mesh,
1-46 excluding the bag;

1-47 (2) used in any bay, river, pass, or tributary, nor
1-48 within one mile of any barrier, jetty, island, or pass, nor within
1-49 one-half mile offshore in the Gulf of Mexico; or

1-50 (3) used for the purpose of taking edible aquatic
1-51 products for the purpose of barter, sale, or exchange.

1-52 (a-1) The holder of a Class C menhaden boat license issued
1-53 under Section 47.008 may use a cast net, as defined by the
1-54 commission, to catch menhaden in any coastal bay, river, or
1-55 tributary landward from the shoreline of the state along the coast
1-56 of the Gulf of Mexico.

1-57 SECTION 3. Section 47.008(c), Parks and Wildlife Code, is
1-58 repealed.

1-59 SECTION 4. This Act takes effect September 1, 2019.

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