

H.B. No. 1806

# 1 AN ACT

2 relating to fishing tournament fraud; providing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 66.119, Parks and Wildlife Code, is  
5 transferred to Subchapter A, Chapter 66, Parks and Wildlife Code,  
6 redesignated as Section 66.023, Parks and Wildlife Code, and  
7 amended to read as follows:

8            Sec. 66.023 [66.119]. FRAUD     IN     [FRESHWATER]     FISHING

9    TOURNAMENTS. (a) In this section, "fishing tournament" means a

10   contest in which a prize is to be awarded to one or more

11   participants in the contest based on the weight, length, number, or

12   type of [freshwater] fish caught by the participants or based on any

13   other criteria applicable to the fish caught.

14 (b) A person commits an offense if, with intent to affect  
15 the outcome of a fishing tournament:

16 (1) the person provides, offers to provide, sells, or  
17 offers to sell a fish to a participant in the tournament for the  
18 purpose of representing that the fish was caught by the participant  
19 in the course of the tournament;

24 (3) the person, as a participant in the tournament,

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1 represents that a fish was caught by the person in the course of the  
2 tournament when in fact the fish was not caught by that person or  
3 the fish was not caught in the course of that tournament;

10 (c) A person commits an offense if the person sponsors or  
11 conducts a fishing tournament and knows of the occurrence in the  
12 tournament of activity prohibited by Subsection (b) of this section  
13 and does not immediately notify a law enforcement officer  
14 commissioned by the director of its occurrence.

21 SECTION 2. The change in law made by this Act applies only  
22 to an offense committed on or after the effective date of this Act.  
23 An offense committed before the effective date of this Act is  
24 covered by the law in effect when the offense was committed, and the  
25 former law is continued in effect for that purpose. For purposes of  
26 this section, an offense was committed before the effective date of  
27 this Act if any element of the offense was committed before that

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1 date.

2 SECTION 3. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2011.

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President of the Senate

Speaker of the House

I certify that H.B. No. 1806 was passed by the House on April 18, 2011, by the following vote: Yeas 142, Nays 4, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1806 was passed by the Senate on May 9, 2011, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor