

AN ACT

relating to the operation of aircraft in or on protected freshwater areas.

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

SECTION 1. Chapter 90, Parks and Wildlife Code, is amended by adding Section 90.0035 to read as follows:

Sec. 90.0035. OPERATION OF AIRCRAFT IN OR ON PROTECTED FRESHWATER AREA. (a) In this section, "aircraft" means a device that can be used for flight in the air, including an airplane, ultralight airplane, or helicopter.

(b) Notwithstanding any other provision of this chapter, a person may operate an aircraft in or on a protected freshwater area.

(c) A person who operates an aircraft in or on a protected freshwater area shall do so in a manner that avoids, to the extent reasonably possible, harming or disturbing vegetation, wildlife, or wildlife habitat within the protected freshwater area.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 4436 was passed by the House on April 29, 2021, by the following vote: Yeas 143, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 4436 was passed by the Senate on May 19, 2021, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

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

Date

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Governor