

1-1 By: Cyrier (Senate Sponsor - Perry) H.B. No. 4436  
 1-2 (In the Senate - Received from the House May 3, 2021;  
 1-3 May 10, 2021, read first time and referred to Committee on Water,  
 1-4 Agriculture & Rural Affairs; May 13, 2021, reported favorably by  
 1-5 the following vote: Yeas 8, Nays 0; May 13, 2021, 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	X			
1-16	X			

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

1-19 relating to the operation of aircraft in or on protected freshwater  
 1-20 areas.

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

1-22 SECTION 1. Chapter 90, Parks and Wildlife Code, is amended  
 1-23 by adding Section 90.0035 to read as follows:

1-24 Sec. 90.0035. OPERATION OF AIRCRAFT IN OR ON PROTECTED  
 1-25 FRESHWATER AREA. (a) In this section, "aircraft" means a device  
 1-26 that can be used for flight in the air, including an airplane,  
 1-27 ultralight airplane, or helicopter.

1-28 (b) Notwithstanding any other provision of this chapter, a  
 1-29 person may operate an aircraft in or on a protected freshwater area.

1-30 (c) A person who operates an aircraft in or on a protected  
 1-31 freshwater area shall do so in a manner that avoids, to the extent  
 1-32 reasonably possible, harming or disturbing vegetation, wildlife,  
 1-33 or wildlife habitat within the protected freshwater area.

1-34 SECTION 2. This Act takes effect immediately if it receives  
 1-35 a vote of two-thirds of all the members elected to each house, as  
 1-36 provided by Section 39, Article III, Texas Constitution. If this  
 1-37 Act does not receive the vote necessary for immediate effect, this  
 1-38 Act takes effect September 1, 2021.

1-39 \* \* \* \* \*