

1-1 By: Hunter (Senate Sponsor - Kolckhorst) H.B. No. 1809
 1-2 (In the Senate - Received from the House April 17, 2023;
 1-3 April 18, 2023, read first time and referred to Committee on Water,
 1-4 Agriculture & Rural Affairs; May 2, 2023, reported favorably by the
 1-5 following vote: Yeas 8, Nays 0; May 2, 2023, 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 establishment of the commercial oyster mariculture
 1-20 advisory board.

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

1-22 SECTION 1. Chapter 75, Parks and Wildlife Code, is amended
 1-23 by adding Section 75.0108 to read as follows:

1-24 Sec. 75.0108. COMMERCIAL OYSTER MARICULTURE ADVISORY
 1-25 BOARD. (a) In this section, "advisory board" means the commercial
 1-26 oyster mariculture advisory board established under this section.

1-27 (b) The commercial oyster mariculture advisory board is
 1-28 established within the department to advise all state agencies with
 1-29 regulatory authority over the commercial oyster mariculture
 1-30 industry.

1-31 (c) The advisory board consists of seven members appointed
 1-32 by the governor as follows:

1-33 (1) four members must:

1-34 (A) represent the commercial oyster mariculture
 1-35 industry, seafood industry, or related industries; and

1-36 (B) have a documented interest in the promotion
 1-37 of entrepreneurship, free enterprise, and the increased use,
 1-38 consumption, marketing, and sale of native oysters in this state;
 1-39 and

1-40 (2) three members must:

1-41 (A) represent the scientific and conservation
 1-42 community in this state; and

1-43 (B) have a documented interest in the
 1-44 sustainability of the natural coastal environment of this state.

1-45 (d) At least one advisory board member must be a member of
 1-46 the department's oyster advisory workgroup.

1-47 (e) Advisory board members serve staggered five-year terms,
 1-48 with the terms of one or two members expiring February 1 of each
 1-49 year.

1-50 (f) If a vacancy occurs on the advisory board, the governor
 1-51 shall appoint a replacement who meets the qualifications for the
 1-52 vacant position to serve for the remainder of the term.

1-53 (g) The governor shall designate an advisory board member
 1-54 described by Subsection (c)(1) to serve as the advisory board's
 1-55 presiding officer for a one-year term. The presiding officer may
 1-56 vote on any matter before the advisory board.

1-57 (h) Advisory board members serve without compensation but
 1-58 are entitled to reimbursement for actual and necessary expenses
 1-59 incurred in performing official duties authorized by the office of
 1-60 the governor.

1-61 (i) The advisory board shall make recommendations to the

2-1 governor and all relevant agencies concerning the commercial oyster
2-2 mariculture industry, including recommendations regarding:
2-3 (1) the promotion of the use, consumption, marketing,
2-4 and sale of maricultured oysters;
2-5 (2) the promotion of sustainable commercial oyster
2-6 mariculture; and
2-7 (3) commercial oyster mariculture permits and
2-8 regulations.

2-9 (j) In performing the advisory board's duties under this
2-10 section, the advisory board may consult with:

2-11 (1) industry and academic resources; and
2-12 (2) agencies of this state and the United States,
2-13 including the:

2-14 (A) department;
2-15 (B) General Land Office;
2-16 (C) Department of State Health Services,
2-17 including the seafood and aquatic life unit;

2-18 (D) National Marine Fisheries Service;
2-19 (E) United States Army Corps of Engineers; and
2-20 (F) United States Coast Guard.

2-21 (k) Chapter 2110, Government Code, does not apply to the
2-22 advisory board.

2-23 SECTION 2. Not later than December 31, 2023, the governor
2-24 shall appoint the initial members of the commercial oyster
2-25 mariculture advisory board under Section 75.0108, Parks and
2-26 Wildlife Code, as added by this Act. Notwithstanding Section
2-27 75.0108(e), Parks and Wildlife Code, as added by this Act, in making
2-28 the initial appointments, the governor shall designate one member
2-29 to a term expiring February 1, 2024, one member to a term expiring
2-30 February 1, 2025, one member to a term expiring February 1, 2026,
2-31 two members to terms expiring February 1, 2027, and two members to
2-32 terms expiring February 1, 2028.

2-33 SECTION 3. This Act takes effect immediately if it receives
2-34 a vote of two-thirds of all the members elected to each house, as
2-35 provided by Section 39, Article III, Texas Constitution. If this
2-36 Act does not receive the vote necessary for immediate effect, this
2-37 Act takes effect September 1, 2023.

2-38 * * * * *