

## **BILL ANALYSIS**

Senate Research Center

S.B. 608  
By: Janek  
Natural Resources  
7/1/2003  
Enrolled

### **DIGEST AND PURPOSE**

Currently, states bordering Texas have a higher fee for nonresident fishing guide licenses, than does Texas. S.B. 608 authorizes the Texas Parks and Wildlife Commission to create a nonresident fishing guide license as well as to create separate coastal and inland resident or nonresident guide licenses. This bill makes out-of-state fishing guide licenses in Texas corollary to those of surrounding states.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Parks and Wildlife commission in SECTION 3 (Section 47.005, Parks and Wildlife Code) of this bill.

Rulemaking authority previously granted to the Texas Parks and Wildlife commission is modified in SECTION 2 (Section 47.004, Parks and Wildlife Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 47.001(6), Parks and Wildlife Code, to redefine "fishing guide."

SECTION 2. Amends Section 47.004, Parks and Wildlife Code, as follows:

Sec. 47.004. New heading: RESIDENT FISHING GUIDE LICENSE. (a) Prohibits a resident, rather than a person, from engaging in business as a fishing guide unless the resident, rather than the person, has obtained a resident fishing guide license.

(b) Redesignated from existing Subsection (c). Authorizes the Parks and Wildlife Commission (commission) to adopt rules governing the issuance and use of resident fishing guide license, including rules creating separate resident fishing guide licenses for use in saltwater and freshwater. Deletes text of existing Subsection (b) providing that the license fee for a fishing guide license is \$50 or an amount set by the commission.

SECTION 3. Amends Subchapter A, Chapter 47, Parks and Wildlife Code, by adding Section 47.005, as follows:

Sec. 47.005. NONRESIDENT FISHING GUIDE LICENSE. (a) Prohibits a nonresident from engaging in business as a fishing guide unless the nonresident has obtained a nonresident fishing guide license.

(b) Authorizes the commission to adopt rules governing the issuance and use of a nonresident fishing guide license, including rules creating separate nonresident fishing guide licenses for use in saltwater and freshwater.

SECTION 4. Amends Subchapter A, Chapter 47, Parks and Wildlife Code, by adding Section 47.006, as follows:

Sec. 47.006. LICENSE FEES. Provides that the license fee for resident, nonresident, freshwater and saltwater guides is \$75 or an amount for each guide type set separately by the

commission, whichever is more.

SECTION 5. Effective date: September 1, 2003.