

BILL ANALYSIS

S.B. 608
By: Janek
State Cultural and Recreational Resources
Committee Report (Unamended)

BACKGROUND 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

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Parks & Wildlife Commission in SECTION 2 (Section 47.004, Parks and Wildlife Code) and SECTION 3 (Section 47.005, 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) 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.

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 FEE. 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.

EFFECTIVE DATE

September 1, 2003