

BILL ANALYSIS

Senate Research Center
79R10165 SGA-F

C.S.S.B. 455
By: Armbrister
Natural Resources
4/22/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Parks and Wildlife Department administers Texas' artificial reef program on sites that are permitted by the United States Army Corps of Engineers (ACOE). The program allows persons to donate materials to the department for construction of an approved reef. However, ACOE has not approved any applications for private individuals to establish a reef.

C.S.S.B. 455 allows private citizens, groups, and/or associations to deploy reef material under guidelines and rules established by the Texas Parks and Wildlife Commission.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Parks and Wildlife Commission in SECTION 1 (Section 89.0025, Parks and Wildlife Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 89, Parks and Wildlife Code, by adding Sections 89.0025 and 89.006, as follows:

Sec. 89.0025. RULES. Authorizes the Parks and Wildlife Commission (commission) to adopt rules and guidelines as necessary to implement this chapter.

Sec. 89.006. REEF CONSTRUCTION BY OTHERS. Authorizes the Parks and Wildlife Department (department) to authorize a person to place a donation of reef materials in a permitted zone in accordance with this chapter and commission rules and guidelines.

SECTION 2. Amends Section 683.014, Transportation Code, by amending Subsection (a) and adding Subsection (d), as follows:

(a) Provides that if an abandoned motor vehicle, watercraft, or outboard motor is not claimed under Section 683.012 (Taking Abandoned Motor Vehicle into Custody: Notice), then the owner or lienholder consents to the sale of the item by public auction or the transfer of the item, if a watercraft, as provided by Subsection (d). Makes conforming changes.

(d) Authorizes the law enforcement agency, on consent of the department, to transfer a watercraft that is not claimed under Section 683.012 to the department for use as part of an artificial reef under Chapter 89, Parks and Wildlife Code, or for other use by the department permitted under the Parks and Wildlife Code. Provides that the department assumes free and clear title of the watercraft on transfer of the watercraft.

SECTION 3. Effective date: upon passage or September 1, 2005.