

By: Seaman

H.B. No. 883

Substitute the following for H.B. No. 883:

By: Hilderbran

C.S.H.B. No. 883

A BILL TO BE ENTITLED

AN ACT

relating to the disposition of abandoned watercraft and the construction of, and donation of materials for, artificial reefs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

Sec. 89.0025. RULES. The commission may adopt rules and guidelines as necessary to implement this chapter.

Sec. 89.006. REEF CONSTRUCTION BY OTHERS. The department may 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. Section 683.014, Transportation Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) If an abandoned motor vehicle, watercraft, or outboard motor is not claimed under Section 683.012:

(1) the owner or lienholder:

(A) waives all rights and interests in the item;

and

(B) consents to the sale of the item by public auction or the transfer of the item, if a watercraft, as provided by Subsection (d); and

1 (2) the law enforcement agency may sell the item at a
2 public auction, transfer the item, if a watercraft, as provided by
3 Subsection (d), or use the item as provided by Section 683.016.

4 (d) On consent of the Parks and Wildlife Department, the law
5 enforcement agency may transfer a watercraft that is not claimed
6 under Section 683.012 to the Parks and Wildlife Department for use
7 as part of an artificial reef under Chapter 89, Parks and Wildlife
8 Code, or for other use by the Parks and Wildlife Department
9 permitted under the Parks and Wildlife Code. On transfer of the
10 watercraft, the Parks and Wildlife Department:

11 (1) takes title free and clear of all liens and claims
12 of ownership; and

13 (2) is entitled to register the watercraft and receive
14 a certificate of title.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2005.