

1-1 By: Seaman, Noriega (Senate Sponsor - Armbrister) H.B. No. 883  
1-2 (In the Senate - Received from the House April 22, 2005;  
1-3 April 25, 2005, read first time and referred to Committee on  
1-4 Natural Resources; May 4, 2005, reported favorably by the  
1-5 following vote: Yeas 9, Nays 0; May 4, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the disposition of abandoned watercraft and the  
1-9 construction of, and donation of materials for, artificial reefs.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter A, Chapter 89, Parks and Wildlife  
1-12 Code, is amended by adding Sections 89.0025 and 89.006 to read as  
1-13 follows:

1-14 Sec. 89.0025. RULES. The commission may adopt rules and  
1-15 guidelines as necessary to implement this chapter.

1-16 Sec. 89.006. REEF CONSTRUCTION BY OTHERS. The department  
1-17 may authorize a person to place a donation of reef materials in a  
1-18 permitted zone in accordance with this chapter and commission rules  
1-19 and guidelines.

1-20 SECTION 2. Section 683.014, Transportation Code, is amended  
1-21 by amending Subsection (a) and adding Subsection (d) to read as  
1-22 follows:

1-23 (a) If an abandoned motor vehicle, watercraft, or outboard  
1-24 motor is not claimed under Section 683.012:

1-25 (1) the owner or lienholder:

1-26 (A) waives all rights and interests in the item;  
1-27 and

1-28 (B) consents to the sale of the item by public  
1-29 auction or the transfer of the item, if a watercraft, as provided by  
1-30 Subsection (d); and

1-31 (2) the law enforcement agency may sell the item at a  
1-32 public auction, transfer the item, if a watercraft, as provided by  
1-33 Subsection (d), or use the item as provided by Section 683.016.

1-34 (d) On consent of the Parks and Wildlife Department, the law  
1-35 enforcement agency may transfer a watercraft that is not claimed  
1-36 under Section 683.012 to the Parks and Wildlife Department for use  
1-37 as part of an artificial reef under Chapter 89, Parks and Wildlife  
1-38 Code, or for other use by the Parks and Wildlife Department  
1-39 permitted under the Parks and Wildlife Code. On transfer of the  
1-40 watercraft, the Parks and Wildlife Department:

1-41 (1) takes title free and clear of all liens and claims  
1-42 of ownership; and

1-43 (2) is entitled to register the watercraft and receive  
1-44 a certificate of title.

1-45 SECTION 3. This Act takes effect immediately if it receives  
1-46 a vote of two-thirds of all the members elected to each house, as  
1-47 provided by Section 39, Article III, Texas Constitution. If this  
1-48 Act does not receive the vote necessary for immediate effect, this  
1-49 Act takes effect September 1, 2005.

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