

By: Cook of Navarro

H.B. No. 3024

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the sale of fish collected from certain private  
3 property.

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

5 SECTION 1. Subchapter B, Chapter 134, Agriculture Code, is  
6 amended by adding Section 134.018 to read as follows:

7 Sec. 134.018. LICENSE NOT REQUIRED FOR SALE OF CERTAIN  
8 FISH. (a) An aquaculture license is not required for the sale of  
9 fish:

10 (1) that are not on the Parks and Wildlife Department's  
11 list of exotic fish, shellfish, and aquatic plants;

12 (2) collected from a private facility on private land  
13 by a person who holds an aquaculture license;

14 (3) by the owner of the private facility from which the  
15 fish were collected;

16 (4) to manage the fish population in the private  
17 facility; and

18 (5) to a person who holds an aquaculture license.

19 (b) The owner of a private facility must notify the Parks  
20 and Wildlife Department at least 24 hours before the sale of fish  
21 under this section.

22 (c) Not later than the 30th day after the sale of fish under  
23 this section, the seller shall submit a copy of the invoice for the  
24 sale to the Parks and Wildlife Department. The seller and the buyer

1 shall maintain a record of the sale for not less than one year. The  
2 record must contain at least:

3 (1) the invoice number;

4 (2) the date of the sale;

5 (3) the name and address of the seller;

6 (4) the name, address, and aquaculture license number  
7 of the buyer; and

8 (5) the number of fish sold.

9 (d) Sections 66.020 and 66.111, Parks and Wildlife Code, do  
10 not apply to a sale under this section.

11 SECTION 2. This Act takes effect September 1, 2005.