

AN ACT

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

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

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

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

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

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

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

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

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

(b) Not later than the 30th day after the sale of fish under this section, the buyer who holds an aquaculture license shall submit a copy of the invoice for the sale to the Parks and Wildlife Department. The seller and the buyer shall maintain a record of the sale for not less than one year. The record must contain at least:

(1) the invoice number;

- 1           (2) the date of the sale;  
2           (3) the name and address of the seller;  
3           (4) the physical location of the facility from which  
4 the fish were collected;  
5           (5) the name, address, and aquaculture license number  
6 of the buyer; and  
7           (6) the number of fish sold.  
8           (c) Sections 66.020 and 66.111, Parks and Wildlife Code, do  
9 not apply to a sale under this section.

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

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3024 was passed by the House on May 13, 2005, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 3024 on May 27, 2005, by a non-record vote.

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Chief Clerk of the House

I certify that H.B. No. 3024 was passed by the Senate, with amendments, on May 25, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor