

1-1 By: Cook of Navarro (Senate Sponsor - Brimer) H.B. No. 3024
1-2 (In the Senate - Received from the House May 16, 2005;
1-3 May 17, 2005, read first time and referred to Committee on Natural
1-4 Resources; May 20, 2005, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 20, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3024 By: Jackson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the sale of fish collected from certain private
1-11 property.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter B, Chapter 134, Agriculture Code, is
1-14 amended by adding Section 134.018 to read as follows:

1-15 Sec. 134.018. LICENSE NOT REQUIRED FOR SALE OF CERTAIN
1-16 FISH. (a) An aquaculture license is not required for the sale of
1-17 fish:

1-18 (1) that are not on the Parks and Wildlife Department's
1-19 list of exotic fish, shellfish, and aquatic plants;

1-20 (2) collected from a private facility on private land
1-21 by a person who holds an aquaculture license;

1-22 (3) by the owner of the private facility from which the
1-23 fish were collected;

1-24 (4) to manage the fish population in the private
1-25 facility; and

1-26 (5) to a person who holds an aquaculture license.

1-27 (b) Not later than the 30th day after the sale of fish under
1-28 this section, the buyer who holds an aquaculture license shall
1-29 submit a copy of the invoice for the sale to the Parks and Wildlife
1-30 Department. The seller and the buyer shall maintain a record of the
1-31 sale for not less than one year. The record must contain at least:

1-32 (1) the invoice number;

1-33 (2) the date of the sale;

1-34 (3) the name and address of the seller;

1-35 (4) the physical location of the facility from which
1-36 the fish were collected;

1-37 (5) the name, address, and aquaculture license number
1-38 of the buyer; and

1-39 (6) the number of fish sold.

1-40 (c) Sections 66.020 and 66.111, Parks and Wildlife Code, do
1-41 not apply to a sale under this section.

1-42 SECTION 2. This Act takes effect September 1, 2005.

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