

By: Wentworth, Jackson, Williams

S.B. No. 380

A BILL TO BE ENTITLED

AN ACT

1
2 relating to commercial bay shrimping boat licenses, commercial bay
3 shrimp boat licenses, and commercial bait-shrimp boat licenses.

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

5 SECTION 1. Subchapter C, Chapter 77, Parks and Wildlife
6 Code, is amended by adding Section 77.032 to read as follows:

7 Sec. 77.032. COMMERCIAL BAY SHRIMPING BOAT LICENSE. (a) A
8 person may not operate a commercial bay shrimp boat or commercial
9 bait-shrimp boat for the purpose of catching or assisting in
10 catching shrimp, including shrimp for use as bait only, and other
11 edible aquatic products from the inside water unless the owner has
12 obtained a commercial bay shrimping boat license under this
13 section.

14 (b) The fee for a commercial bay shrimping boat license is
15 \$170 or an amount set by the commission, whichever amount is more.

16 (c) An applicant for a commercial bay shrimping boat license
17 must submit to the department an affidavit that the applicant
18 intends to derive the major portion of the applicant's livelihood
19 from the commercial fishery and that the applicant will maintain
20 adequate facilities to conduct the business.

21 (d) The fee for a commercial bay shrimping boat license for
22 a boat that is not numbered under Chapter 31 or does not have a
23 certificate of documentation issued by the United States Coast
24 Guard that lists an address in Texas for the boat owner or other

1 criteria established by the commission is \$500 or an amount set by
2 the commission, whichever amount is more.

3 SECTION 2. Sections 77.031 and 77.033, Parks and Wildlife
4 Code, are repealed.

5 SECTION 3. On or after the effective date of this Act, a
6 reference in law to a "commercial bay shrimp boat license issued
7 under Section 77.031" or a "commercial bait-shrimp boat license
8 issued under Section 77.033" means a commercial bay shrimping boat
9 license issued under Section 77.032.

10 SECTION 4. (a) The repeal by this Act of Sections 77.031
11 and 77.033, Parks and Wildlife Code, does not apply to an offense,
12 related to a violation of one of those sections, committed before
13 the effective date of the repeal. For purposes of this section, an
14 offense is committed before the effective date of the repeal if any
15 element of the offense occurs before that date.

16 (b) An offense committed before the effective date of the
17 repeal is covered by the section as it existed on the date on which
18 the offense was committed, and the former law is continued in effect
19 for that purpose.

20 SECTION 5. The change in law made by this Act does not
21 affect liability for the payment of fees accruing before the
22 effective date of this Act. That liability continues in effect as
23 if this Act had not been enacted, and the former law is continued in
24 effect for the collection of fees due and for civil and criminal
25 enforcement of the liability for those fees.

26 SECTION 6. This Act takes effect September 1, 2007.