

1-1 By: Armbrister, Lucio S.B. No. 455  
1-2 (In the Senate - Filed February 10, 2005; February 22, 2005,  
1-3 read first time and referred to Subcommittee on Agriculture and  
1-4 Coastal Resources; April 15, 2005, reported favorably to Committee  
1-5 on Natural Resources; April 22, 2005, reported adversely, with  
1-6 favorable Committee Substitute from Committee on Natural Resources  
1-7 by the following vote: Yeas 11, Nays 0; April 22, 2005, sent to  
1-8 printer.)

1-9 COMMITTEE SUBSTITUTE FOR S.B. No. 455 By: Armbrister

1-10 A BILL TO BE ENTITLED  
1-11 AN ACT

1-12 relating to the use of abandoned watercraft as part of artificial  
1-13 reefs and the construction of, and donation of materials for,  
1-14 artificial reefs.

1-15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-16 SECTION 1. Subchapter A, Chapter 89, Parks and Wildlife  
1-17 Code, is amended by adding Sections 89.0025 and 89.006 to read as  
1-18 follows:

1-19 Sec. 89.0025. RULES. The commission may adopt rules and  
1-20 guidelines as necessary to implement this chapter.

1-21 Sec. 89.006. REEF CONSTRUCTION BY OTHERS. The department  
1-22 may authorize a person to place a donation of reef materials in a  
1-23 permitted zone in accordance with this chapter and commission rules  
1-24 and guidelines.

1-25 SECTION 2. Section 683.014, Transportation Code, is amended  
1-26 by amending Subsection (a) and adding Subsection (d) to read as  
1-27 follows:

1-28 (a) If an abandoned motor vehicle, watercraft, or outboard  
1-29 motor is not claimed under Section 683.012:

1-30 (1) the owner or lienholder:

1-31 (A) waives all rights and interests in the item;  
1-32 and

1-33 (B) consents to the sale of the item by public  
1-34 auction or the transfer of the item, if a watercraft, as provided by  
1-35 Subsection (d); and

1-36 (2) the law enforcement agency may sell the item at a  
1-37 public auction, transfer the item, if a watercraft, as provided by  
1-38 Subsection (d), or use the item as provided by Section 683.016.

1-39 (d) On consent of the Parks and Wildlife Department, the law  
1-40 enforcement agency may transfer a watercraft that is not claimed  
1-41 under Section 683.012 to the Parks and Wildlife Department for use  
1-42 as part of an artificial reef under Chapter 89, Parks and Wildlife  
1-43 Code, or for other use by the Parks and Wildlife Department  
1-44 permitted under the Parks and Wildlife Code. On transfer of the  
1-45 watercraft, the Parks and Wildlife Department:

1-46 (1) takes title free and clear of all liens and claims  
1-47 of ownership; and

1-48 (2) is entitled to register the watercraft and receive  
1-49 a certificate of title.

1-50 SECTION 3. This Act takes effect immediately if it receives  
1-51 a vote of two-thirds of all the members elected to each house, as  
1-52 provided by Section 39, Article III, Texas Constitution. If this  
1-53 Act does not receive the vote necessary for immediate effect, this  
1-54 Act takes effect September 1, 2005.

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