

AN ACT

relating to the license requirements of marine dealers, distributors, and manufacturers.

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

SECTION 1. Subdivision (7), Section 31.003, Parks and Wildlife Code, is amended to read as follows:

(7) "Dealer" means a person engaged in the business of buying, selling, selling on consignment, displaying for sale, or exchanging at least five vessels, motorboats, or outboard motors during a calendar year [~~at an established or permanent place of business in this state~~].

SECTION 2. Subsection (a), Section 31.041, Parks and Wildlife Code, is amended to read as follows:

(a) A person may not engage in business in this state as a dealer, distributor, or manufacturer unless the person holds a license issued under this section and enters into a license agreement with the department. A dealer must have a license for each place of business owned and operated by the person.

SECTION 3. Section 31.0412, Parks and Wildlife Code, is amended to read as follows:

Sec. 31.0412. LICENSING RULES. The commission may adopt rules regarding licenses issued under Section 31.041, including rules:

(1) regarding license transfer procedures;

- 1           (2) prescribing application and license agreement  
2 forms;
- 3           (3) regarding application and renewal procedures;
- 4           (4) prescribing reporting and recordkeeping  
5 requirements for license holders; [~~and~~]
- 6           (5) setting fees to be charged for:  
7                 (A) a transferred license; or  
8                 (B) a replacement license;
- 9           (6) prescribing license requirements; and  
10           (7) establishing license revocation and suspension  
11 procedures.

12           SECTION 4. Section 31.007, Parks and Wildlife Code, is  
13 repealed.

14           SECTION 5. This Act takes effect September 1, 2005.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 489 passed the Senate on April 21, 2005, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 489 passed the House on May 10, 2005, by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor