

1-1 By: Estes S.B. No. 489
1-2 (In the Senate - Filed February 14, 2005; February 22, 2005,
1-3 read first time and referred to Committee on Natural Resources;
1-4 April 11, 2005, reported favorably by the following vote: Yeas 11,
1-5 Nays 0; April 11, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the license requirements of marine dealers,
1-9 distributors, and manufacturers.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subdivision (7), Section 31.003, Parks and
1-12 Wildlife Code, is amended to read as follows:

1-13 (7) "Dealer" means a person engaged in the business of
1-14 buying, selling, selling on consignment, displaying for sale, or
1-15 exchanging at least five vessels, motorboats, or outboard motors
1-16 during a calendar year [~~at an established or permanent place of~~
1-17 ~~business in this state~~].

1-18 SECTION 2. Subsection (a), Section 31.041, Parks and
1-19 Wildlife Code, is amended to read as follows:

1-20 (a) A person may not engage in business in this state as a
1-21 dealer, distributor, or manufacturer unless the person holds a
1-22 license issued under this section and enters into a license
1-23 agreement with the department. A dealer must have a license for
1-24 each place of business owned and operated by the person.

1-25 SECTION 3. Section 31.0412, Parks and Wildlife Code, is
1-26 amended to read as follows:

1-27 Sec. 31.0412. LICENSING RULES. The commission may adopt
1-28 rules regarding licenses issued under Section 31.041, including
1-29 rules:

1-30 (1) regarding license transfer procedures;
1-31 (2) prescribing application and license agreement
1-32 forms;

1-33 (3) regarding application and renewal procedures;
1-34 (4) prescribing reporting and recordkeeping
1-35 requirements for license holders; [~~and~~]

1-36 (5) setting fees to be charged for:

1-37 (A) a transferred license; or

1-38 (B) a replacement license;

1-39 (6) prescribing license requirements; and

1-40 (7) establishing license revocation and suspension
1-41 procedures.

1-42 SECTION 4. Section 31.007, Parks and Wildlife Code, is
1-43 repealed.

1-44 SECTION 5. This Act takes effect September 1, 2005.

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