

BILL ANALYSIS

C.S.H.B. 3910
By: Burnam
Culture, Recreation, & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Fish and Shellfish often contain high levels of mercury and can be dangerous particularly to pregnant women and young children. However, many people are not aware of contaminated areas and consume fish caught in these regions. Fishers should be aware of areas from which it is dangerous to consume fish due to mercury risks.

C.S.H.B. 3910 requires that signs be posted to make people aware of areas that are under caution or ban regarding mercury levels in fish or shellfish.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The Health and Safety Code, Chapter 436, Subchapter G, will be amended to add Section 436.092 which will require the Department of State Health Services (DSHS) to post and maintain signs, in the two most popular languages of the area, regarding water that is affected by a fish or shellfish consumption advisory or ban issued by the department advising the public of the existence of the ban or advisory. These signs will be posted at all public boat ramps that provide access to fresh water or at fishing piers for salt water.

The Department of State Health Services will post the signs as soon as practicable, but not later than January 1, 2008.

EFFECTIVE DATE

This Act takes effect September 1, 2007

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute changes the responsibility to post signs from the Parks and Wildlife Department to the Department to State Health Services because DSHS issues fish consumption advisories and bans. Thus, the section of code added by the substitute is inserted into the Health and Safety Code, Chapter 436, rather than the Parks and Wildlife Code, Chapter 11, and adds Subchapter G instead of Subchapter K. Makes additional nonsubstantive changes.