

BILL ANALYSIS

S.B. 825
By: Nichols
Culture, Recreation, & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Every year millions of road fuel tax refunds for gasoline and for water crafts are unclaimed. As a result, the comptroller of public accounts sends unclaimed road fuel tax refunds to the Texas Parks and Wildlife Department (TPWD). Currently, TPWD uses unclaimed motor fuel taxes for state park operations. TPWD operations include programs to control non-native nuisance plants from spreading and causing damage.

Hydrilla and other non-native, nuisance plants are often spread through motorboat use. The plants move from one body of water, get trapped on motorboat blades of a boat, and then spread to other waterways where the boat travels. This infestation has become a problem in Texas lakes. Hydrilla infestation can be dangerous to swimmers and boaters and needs to be controlled.

As proposed, S.B. 825 authorizes TPWD to create a program to control certain non-native nuisance plants with money from unclaimed road tax refunds.

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

SECTION 1. Amends Section 12.010, Parks and Wildlife Code, as follows:

Sec. 12.010. New heading: NUISANCE OR NOXIOUS AQUATIC VEGETATION PROGRAM. (a) Authorizes the Texas Parks and Wildlife Department (TPWD) to implement a program to control or eradicate nuisance aquatic vegetation, including hydrilla and giant sylvan, from public water in Texas.

(b) Authorizes TPWD to use money from unclaimed refunds of the tax on fuel used in motorboats appropriated to TWPD under Section 162.502(c), Tax Code to implement the program under this section.

(c) Authorizes TPWD to contract with a person not employed by TWPD or to use the services of TWPD personnel for the control or eradication of nuisance or noxious vegetation.

SECTION 2. Effective date: upon passage or September 1, 2007.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.