

BILL ANALYSIS

C.S.H.B. 4100
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Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

H.B. 1858, Acts of the 78th Legislature, Regular Session, 2003, amended Chapter 47 of the Agriculture Code to create the Texas shrimp marketing assistance program. The program is administered by the Texas Department of Agriculture and funded in a minimum amount of \$250,000 per year through transfers made by the Texas Parks and Wildlife Department (TPWD). H.B. 1858 provided revenue sources to fund the program, including a fee on certain shrimp licenses issued by TPWD. The fee was limited to an increase of up to 10 percent of the license fees established by TPWD effective September 1, 2002. H.B. 2942, Acts of the 79th Legislature, Regular Session, 2005, extended this limit on license fee increases until September 1, 2007.

C.S.H.B. 4100 postpones from September 1, 2009, to September 1, 2013, the expiration of provisions prohibiting certain fee increases associated with certain commercial fishing and shrimp licenses and doubles the maximum allowable amount of a fee increase associated with such licenses.

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

C.S.H.B. 4100 amends the Parks and Wildlife Code to postpone from September 1, 2009, to September 1, 2013, the expiration of provisions prohibiting a license fee increase for a wholesale fish dealer's license, a retail fish dealer's license, a retail dealer's truck license, a commercial bay shrimp boat license, and a commercial gulf shrimp boat license in an amount more than 20 percent, rather than 10 percent, of the fee amount set by the Parks and Wildlife Commission effective September 1, 2002.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect August 31, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4100 adds a provision not in the original to prohibit a license fee for a wholesale fish dealer's license, a retail fish dealer's license, a retail dealer's truck license, a commercial bay shrimp boat license, and a commercial gulf shrimp boat license from being increased by more than 20 percent, rather than 10 percent, of the amount of the fee set by the Parks and Wildlife Commission and effective September 1, 2002.