

By: Eiland

H.B. No. 4593

A BILL TO BE ENTITLED

AN ACT

relating to the marketing of shrimp and aquaculture products.

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

SECTION 1. Section 47.051, Agriculture Code, is amended to read as follows:

Sec. 47.051. DEFINITIONS. In this subchapter:

(1) "Advisory committee" means the shrimp advisory committee.

(2) "Coastal waters" means all the salt water of the state, including the portion of the Gulf of Mexico that is within the jurisdiction of the state.

(3) "Program" means the Texas shrimp marketing assistance program.

(4) "Shrimp marketing account" means the account in the general revenue fund established under Section 77.002(b), Parks and Wildlife Code.

(5) "Texas-produced shrimp" means wild caught shrimp commercially harvested from coastal waters by shrimp boats licensed by the Texas Parks and Wildlife Department [~~and produced within the borders of the state.~~]

SECTION 2. Sec. 47.052(a), Agriculture Code, is amended to read as follows:

(a) The Texas shrimp marketing assistance program is established in the department to assist the Texas shrimping

1 industry in promoting and marketing Texas-produced shrimp and
2 educating the public about the Texas wild caught shrimping industry
3 and Texas-produced shrimp.

4 SECTION 3. Sec. 47.053(b), Agriculture Code, is amended to
5 read as follows:

6 (b) The advisory committee shall be composed of the
7 following 9 [~~10~~] members:

- 8 (1) two owners of commercial bay shrimp boats;
- 9 (2) two owners of commercial gulf shrimp boats;
- 10 (3) [~~one member of the Texas shrimp aquaculture~~
11 ~~industry;~~]
- 12 [~~(4)~~] one retail wild caught shrimp [~~fish~~] dealer;
- 13 (4) [~~(5)~~] one wholesale wild caught shrimp [~~fish~~]
14 dealer;
- 15 (5) [~~(6)~~] one person employed by an institution of
16 higher education as a researcher or instructor specializing in the
17 area of food science, particularly seafood;
- 18 (6) [~~(7)~~] one member of the seafood restaurant
19 industry; and
- 20 (7) [~~(8)~~] one representative of the public.

21 SECTION 4. Sec. 47.055, Agriculture Code, is amended to
22 read as follows:

23 Sec. 47.055. PROMOTION, MARKETING, AND EDUCATION. The
24 program shall promote and advertise the Texas shrimping industry
25 by:

- 26 (1) developing and maintaining a database of Texas shrimp
27 wholesalers that sell Texas-produced shrimp;

1 (2) operating a toll-free telephone number to:

2 (A) receive inquiries from persons who wish to
3 purchase a particular type of Texas-produced shrimp; and

4 (B) make information about the Texas shrimping
5 industry available to the public;

6 (3) developing a shrimping industry marketing plan to
7 increase the consumption of Texas-produced shrimp;

8 (4) educating the public about Texas-produced shrimp by
9 providing publicity about the information in the program's database
10 to the public and making the information available to the public
11 through the department's toll-free telephone number and
12 electronically through the Internet;

13 (5) promoting the Texas shrimping industry; and

14 (6) promoting and marketing, and educating consumers about,
15 Texas-produced shrimp using any other method the commissioner
16 determines appropriate.

17 SECTION 5. Sec. 134.014, Agriculture Code, is amended to
18 read as follows:

19 Sec. 134.014 LICENSE FEES. ~~[(a)]~~ The department shall
20 issue an aquaculture license or a fish farm vehicle license on
21 completion of applicable license requirements and the payment of a
22 fee by the applicant, as provided by department rule.

23 ~~[(b) In addition to the fees under Subsection (a), the~~
24 ~~department shall assess and collect a surcharge on the annual~~
25 ~~license fee for aquaculture facilities producing shrimp for the~~
26 ~~purpose of funding the Texas shrimp marketing assistance program~~
27 ~~created under Subchapter B, Chapter 47. The amount of the surcharge~~

1 ~~shall be set each year, as provided by department rule, in an amount~~
2 ~~equal to 10 percent of the fees generated by the Parks and Wildlife~~
3 ~~Department under Section 77.002(c), Parks and Wildlife Code.~~

4 ~~(c) The department shall deposit at the end of each quarter,~~
5 ~~to the credit of the shrimp marketing account, the fees received~~
6 ~~under Subsection (b) for use by the department to conduct and~~
7 ~~operate the Texas shrimp marketing assistance program created under~~
8 ~~Subchapter B, Chapter 47.]~~

9 SECTION 6. This Act takes effect September 1, 2009.