

**House Bill 4593**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 47.051(5), Agriculture Code, is amended to read as follows:

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

SECTION 2. Section 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 [~~shrimp~~] industry in promoting and marketing Texas-produced shrimp and educating the public about the Texas wild-caught shrimping [~~shrimp~~] industry and Texas-produced shrimp.

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

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

- (1) two owners of commercial bay shrimp boats;
- (2) two owners of commercial gulf shrimp boats;
- (3) [~~one member of the Texas shrimp aquaculture industry~~];
- [~~(4)~~] one retail wild-caught shrimp [~~fish~~] dealer;
- (4) [~~(5)~~] one wholesale wild-caught shrimp [~~fish~~] dealer;
- (5) [~~(6)~~] one person employed by an institution of higher

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SECTION 2. Section 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 wild-caught shrimping [~~shrimp~~] industry in promoting and marketing Texas-produced shrimp and educating the public about the Texas wild-caught shrimping [~~shrimp~~] industry and Texas-produced shrimp.

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education as a researcher or instructor specializing in the area of food science, particularly seafood;  
(6) [(7)] one member of the seafood restaurant industry;  
and  
(7) [(8)] one representative of the public.

SECTION 4. Section 47.054(b), Agriculture Code, is amended to read as follows:

(b) Unless otherwise expressly provided by the legislature, the source of funding for the payment of employee salaries shall be funds generated from the program, including the 10 percent license fee increase authorized by Section 77.002, Parks and Wildlife Code[, and the surcharge on license fees authorized by Section 134.014].

SECTION 5. Section 47.055, Agriculture Code, is amended to read as follows:

Sec. 47.055. PROMOTION, MARKETING, AND EDUCATION. The program shall promote and advertise the Texas shrimping [shrimp] industry by:

- (1) developing and maintaining a database of Texas shrimp wholesalers that sell Texas-produced shrimp;
- (2) operating a toll-free telephone number to:
  - (A) receive inquiries from persons who wish to purchase a particular type of Texas-produced shrimp; and

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SECTION 5. Section 47.055, Agriculture Code, is amended to read as follows:

Sec. 47.055. PROMOTION, MARKETING, AND EDUCATION. The program shall promote and advertise the Texas wild-caught shrimping [shrimp] industry by:

- (1) developing and maintaining a database of Texas shrimp wholesalers that sell Texas-produced shrimp;
- (2) operating a toll-free telephone number to:
  - (A) receive inquiries from persons who wish to purchase a particular type of Texas-produced shrimp; and

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- (B) make information about the Texas shrimping [~~shrimp~~] industry available to the public;
- (3) developing a shrimping [~~shrimp~~] industry marketing plan to increase the consumption of Texas-produced shrimp;
- (4) educating the public about Texas-produced shrimp by providing publicity about the information in the program's database to the public and making the information available to the public through the department's toll-free telephone number and electronically through the Internet;
- (5) promoting the Texas shrimping [~~shrimp~~] industry; and
- (6) promoting and marketing, and educating consumers about, Texas-produced shrimp using any other method the commissioner determines appropriate.

SECTION 6. Section 134.014, Agriculture Code, is amended to read as follows:

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

~~[(b) In addition to the fees under Subsection (a), the department shall assess and collect a surcharge on the annual license fee for aquaculture facilities producing shrimp for the purpose of funding the Texas shrimp~~

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- (B) make information about the Texas wild-caught shrimping [~~shrimp~~] industry available to the public;
- (3) developing a wild-caught shrimping [~~shrimp~~] industry marketing plan to increase the consumption of Texas-produced shrimp;
- (4) educating the public about Texas-produced shrimp by providing publicity about the information in the program's database to the public and making the information available to the public through the department's toll-free telephone number and electronically through the Internet;
- (5) promoting the Texas wild-caught shrimping [~~shrimp~~] industry; and
- (6) promoting and marketing, and educating consumers about, Texas-produced shrimp using any other method the commissioner determines appropriate.

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~~marketing assistance program created under Subchapter B, Chapter 47. The amount of the surcharge shall be set each year, as provided by department rule, in an amount equal to 10 percent of the fees generated by the Parks and Wildlife Department under Section 77.002(c), Parks and Wildlife Code.~~

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

SECTION 7. Section 77.002(b), Parks and Wildlife Code, is amended to read as follows:

(b) The shrimp marketing account is an account in the general revenue fund to be used by the Department of Agriculture solely for the purpose of the Texas shrimp marketing assistance program established under Subchapter B, Chapter 47, Agriculture Code. The account consists of funds deposited to the account under this section [~~and Section 134.014(b), Agriculture Code~~]. The account is exempt from the application of Section 11.032 of this code and Section 403.095, Government Code.

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SECTION 8. This Act takes effect September 1, 2009.

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