

1-1 By: Scott (Senate Sponsor - Lucio) H.B. No. 1322
1-2 (In the Senate - Received from the House April 18, 2011;
1-3 April 20, 2011, read first time and referred to Committee on
1-4 Agriculture and Rural Affairs; May 3, 2011, reported favorably by
1-5 the following vote: Yeas 3, Nays 0; May 3, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the possession of fish in the tidal water of this state.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 46.001, Parks and Wildlife Code, is
1-11 amended to read as follows:

1-12 Sec. 46.001. PROHIBITED ACTS. (a) No person may fish in
1-13 the public water of this state, or unload in this state fish or
1-14 other aquatic life taken for sporting purposes from waters managed
1-15 by the Gulf of Mexico Fishery Management Council established under
1-16 the Magnuson-Stevens Fishery Conservation and Management Act [~~of~~
1-17 ~~1976~~] (16 U.S.C. Section 1801 et seq.), unless the person [~~he~~] has
1-18 acquired a fishing license issued under this subchapter, except as
1-19 provided by Sections 46.0012 and 46.002. The commission by rule may
1-20 prescribe requirements relating to possessing a license required by
1-21 this subchapter.

1-22 (b) A person in a vessel on tidal water may not possess fish
1-23 taken for sporting purposes unless the person holds a fishing
1-24 license issued under this subchapter, except as provided by
1-25 Sections 46.0012 and 46.002. In this subsection, "tidal water" has
1-26 the meaning assigned by Section 47.001.

1-27 SECTION 2. This Act takes effect immediately if it receives
1-28 a vote of two-thirds of all the members elected to each house, as
1-29 provided by Section 39, Article III, Texas Constitution. If this
1-30 Act does not receive the vote necessary for immediate effect, this
1-31 Act takes effect September 1, 2011.

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