

By: Lucio

S.B. No. 1435

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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1 Act takes effect September 1, 2011.