

By: Guillen, Lozano

H.B. No. 1241

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the adoption of rules by the Parks and Wildlife  
3 Commission to protect the public water of this state from the spread  
4 of aquatic invasive species.

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

6 SECTION 1. Subchapter A, Chapter 66, Parks and Wildlife  
7 Code, is amended by adding Section 66.0073 to read as follows:

8 Sec. 66.0073. RULES REQUIRING WATER TO BE DRAINED. (a) In  
9 this section:

10 (1) "Public water" has the meaning assigned by Section  
11 66.015.

12 (2) "Salt water" has the meaning assigned by Section  
13 66.001.

14 (3) "Vessel" has the meaning assigned by Section  
15 31.003.

16 (b) The commission may adopt rules requiring a person  
17 leaving or approaching public water to drain from a vessel or  
18 portable container on board the vessel any water that has been  
19 collected from or has come in contact with public water. This  
20 subsection does not apply to salt water.

21 (c) When promulgating rules described by Subsection (b),  
22 the commission shall consider the effects on boaters, anglers, and  
23 local interests while maintaining the ability to prevent the spread  
24 of harmful or potentially harmful exotic fish, shellfish, and

1 aquatic plants.

2 (d) If the commission adopts rules described by Subsection  
3 (b), an authorized employee of the department may inspect a vessel  
4 leaving or approaching public water, including any portable  
5 containers on board the vessel, for the presence of water. This  
6 subsection does not apply to a vessel that is on public water.

7 SECTION 2. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2013.