

AN ACT

relating to the adoption of rules by the Parks and Wildlife Commission to protect the public water of this state from the spread of aquatic invasive species.

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

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

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

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

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

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

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

(c) When promulgating rules described by Subsection (b), the commission shall consider the effects on boaters, anglers, and local interests while maintaining the ability to prevent the spread 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.

President of the Senate

Speaker of the House

I certify that H.B. No. 1241 was passed by the House on April 3, 2013, by the following vote: Yeas 143, Nays 4, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1241 was passed by the Senate on May 20, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor