

By: Eiland

H.B. No. 1903

Substitute the following for H.B. No. 1903:

By: M. Gonzalez of El Paso

C.S.H.B. No. 1903

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the allocation of amounts deposited into the oyster  
3 sales account and the abolishment of the oyster advisory committee.

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

5 SECTION 1. Sections 436.103(e) and (f), Health and Safety  
6 Code, are amended to read as follows:

7 (e) Before any other disposition of the fees and penalties  
8 collected under this section is made, two percent of the amount of  
9 the fees and penalties shall be deposited in the state treasury for  
10 appropriation for the use of the comptroller in the administration  
11 and enforcement of this section. The remainder of the fees and  
12 penalties collected under this section shall be deposited to the  
13 credit of the oyster sales account in the general revenue fund to be  
14 allocated each year for oyster-related activities, including:

15 (1) collecting bay water and shellfish meat samples;  
16 (2) contracting for sample analysis for  
17 classification and opening or closing of oyster harvesting areas;

18 (3) marking the boundaries of areas that are  
19 designated open or closed under this subchapter;

20 (4) studying oyster diseases and other concerns  
21 affecting the availability of oysters for harvest;

22 (5) studying and analyzing organisms that may be  
23 associated with human illness and that can be transmitted through  
24 the consumption of oysters;

1           (6) contributing to the support of the oyster shell  
2 recovery and replacement program created under Section 76.020,  
3 Parks and Wildlife Code [~~promotion and advertising of the Texas~~  
4 ~~oyster industry by the Texas Department of Agriculture, including~~  
5 ~~information, education, and training to consumers on safe and~~  
6 ~~proper handling of oysters~~]; and

7           (7) other oyster-related activities authorized or  
8 required by this chapter.

9           (f) After deducting the amount deposited into the state  
10 treasury for the comptroller's use under Subsection (e), the  
11 comptroller at the beginning of each state fiscal year shall  
12 allocate \$100,000 of the unencumbered balance deposited to the  
13 credit of the oyster sales account in the general revenue fund to  
14 Texas A&M University at Galveston for use in performing the  
15 activities described by Subsection (e)(5). The remainder of the  
16 money [~~Money~~] in the oyster sales account may [~~shall first~~] be  
17 allocated only for the purposes described by Subsection (e)  
18 [~~allocated for funding the public health activities of bay water~~  
19 ~~and shellfish meat sample collection and analysis and wholesale,~~  
20 ~~retail, and consumer education before money is allocated for~~  
21 ~~research or promotion~~].

22           SECTION 2. Subchapter A, Chapter 47, Agriculture Code, is  
23 repealed, and the oyster advisory committee established under  
24 Section 47.002, Agriculture Code, is abolished on the effective  
25 date of this Act.

26           SECTION 3. This Act takes effect September 1, 2013.