

By: Morrison

H.B. No. 3279

A BILL TO BE ENTITLED

AN ACT

relating to the uprooting of seagrass plants; creating an offense.

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 66.024 to read as follows:

Sec. 66.024. SEAGRASS PLANTS. (a) In this section, "seagrass plant" means a flowering marine plant of the species:

(1) Cymodocea filiformis, known as manatee grass;

(2) Halodule beaudettei, known as shoal grass;

(3) Halophila engelmannii, known as star grass or Engelmann's seagrass;

(4) Ruppia maritima, known as widgeon grass; or

(5) Thalassia testudinum, known as turtle grass.

(b) A person may not uproot or dig out any rooted seagrass plant from a bay bottom or other saltwater bottom area in the jurisdiction of this state by means of a propeller, except as that uprooting or digging out may be authorized by:

(1) a coastal lease granted by the General Land Office; or

(2) a commercial license or permit issued by the department.

(c) It is a defense to prosecution under this section that a person:

(1) anchors a vessel within an area containing

1 seagrass plants and uproots a seagrass plant;

2 (2) uses an electric trolling motor within an area  
3 containing seagrass plants and uproots a seagrass plant; or

4 (3) operates a vessel in a manner consistent with the  
5 acceleration required to reach and stay on plane.

6 (d) A person who violates this section or a proclamation of  
7 the commission under this section commits an offense that is a Class  
8 C Parks and Wildlife Code misdemeanor.

9 SECTION 2. This Act takes effect September 1, 2013.