

Amend **HB 51** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 76.301, Parks and Wildlife Code, is amended by amending Subsections (c) and (f) and adding Subsection (h) to read as follows:

(c) A proclamation issued under Subsection (a) of this section may limit the quantity and size of oysters that may be taken, possessed, sold, or purchased and may prescribe the times, places, conditions, and means and manner of taking oysters. ~~[However, measures dealing with sale and purchase may only be implemented at first sale or exchange transaction.]~~

(f) A person who violates a proclamation issued under ~~[Subsection (a) of]~~ this subchapter ~~[section]~~ commits an offense that is a Parks and Wildlife Code Class C misdemeanor. ~~[An offense under this section is punishable by a fine of not less than \$25 nor more than \$200.]~~

(h) A proclamation of the commission under this section applies to any person who purchases oysters from the captain of a commercial oyster boat, a commercial oyster boat, or a member of the crew of a commercial oyster boat who:

(1) purchases oysters under Section 47.0091; and

(2) holds a shellfish certificate as defined by Section 436.002, Health and Safety Code.

SECTION \_\_\_\_\_. Section 76.119, Parks and Wildlife Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) The captain of a vessel licensed as a commercial oyster boat shall identify the name of the captain, the vessel, and each member of the crew to each purchaser of oysters from the captain, the commercial oyster boat, or a member of the crew.

(d) A wholesale fish dealer or a person who holds a shellfish certificate who purchases oysters from a captain of a vessel licensed as a commercial oyster boat, the commercial oyster boat, or a member of the crew of a commercial oyster boat, in violation of Section 76.109, 76.112, 76.116, or this section, may not possess the oysters and is subject to any penalty prescribed by law.