

By: Guillen

H.B. No. 1724

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the commercial license buyback account managed by the Parks and Wildlife Department.

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

SECTION 1. Section 11.032(b), Parks and Wildlife Code, is amended to read as follows:

(b) The department shall deposit to the credit of the game, fish, and water safety account all revenue, less allowable costs, from the following sources:

(1) all types of fishing licenses and stamps and shrimping licenses [~~, except as provided by Section 77.120~~];

(2) all types of hunting licenses and stamps;

(3) trapping licenses and other licenses relating to the taking, propagation, and sale of fur-bearing animals or their pelts;

(4) sale of marl, sand, gravel, shell, and mudshell;

(5) oyster bed rentals and permits;

(6) federal funds received for fish and wildlife research, management, development and conservation, resource protection, and law enforcement, unless the funds are received for the specific purposes of Subchapter F, Chapter 77;

(7) sale of property, less advertising costs, purchased from this account or a special fund or account that is now part of this account;

1 (8) fines and penalties collected for violations of a
2 law pertaining to the protection and conservation of wild birds,
3 wild fowl, wild animals, fish, shrimp, oysters, game birds and
4 animals, fur-bearing animals, alligators, and any other wildlife
5 resources of this state;

6 (9) sale of rough fish by the department;

7 (10) fees for importation permits;

8 (11) fees from supplying fish for or placing fish in
9 water located on private property;

10 (12) sale of seized pelts;

11 (13) sale or lease of grazing rights to and the
12 products from game preserves, sanctuaries, and management areas;

13 (14) contracts for the removal of fur-bearing animals
14 and reptiles from wildlife management areas;

15 (15) vessel registration fees;

16 (16) vessel manufacturer or dealer licensing fees;

17 (17) fines or penalties imposed by a court for
18 violation of water safety laws contained in Chapter 31 of this code;

19 (18) alligator hunter's or alligator buyer's licenses;

20 (19) sale of alligators or any part of an alligator by
21 the department;

22 (20) fees and revenue collected under Section
23 11.027(b) or (c) of this code that are associated with the
24 conservation of fish and wildlife;

25 (21) any other source provided by law; and

26 (22) vessel and outboard motor titling fees.

27 SECTION 2. Subchapter B, Chapter 47, Parks and Wildlife

1 Code, is amended by adding Section 47.041 to read as follows:

2 Sec. 47.041. COMMERCIAL LICENSE BUYBACK SUBACCOUNT. (a)
3 The commercial license buyback subaccount is a subaccount in the
4 game, fish, and water safety account. The subaccount consists of
5 money deposited to the subaccount under this section.

6 (b) The department shall deposit to the credit of the
7 commercial license buyback subaccount revenue from the following
8 sources:

- 9 (1) revenue set aside under Section 47.081(d);
- 10 (2) revenue set aside under Section 78.111(d);
- 11 (3) a fee collected under Section 77.115;
- 12 (4) \$25 of each wholesale fish dealer's license issued
13 under Section 47.009;
- 14 (5) \$25 of each wholesale truck dealer's fish license
15 issued under Section 47.010;
- 16 (6) \$6 of each retail fish dealer's license issued
17 under Section 47.011;
- 18 (7) \$11 of each retail dealer's truck license issued
19 under Section 47.013;
- 20 (8) \$25 of each commercial bay shrimp boat license
21 issued under Section 77.031;
- 22 (9) \$25 of each commercial bait-shrimp boat license
23 issued under Section 77.033;
- 24 (10) \$25 of each commercial gulf shrimp boat license
25 issued under Section 77.035;
- 26 (11) \$15 of each bait-shrimp dealer's license issued
27 under Section 77.043; and

1 (12) revenue from any other source authorized by law.

2 (c) The department may accept grants and donations of money
3 or materials from private or public sources to be applied to the
4 commercial license buyback subaccount.

5 (d) Money in the commercial license buyback subaccount may
6 be used only to buy back a commercial license from a willing license
7 holder.

8 (e) The commercial license buyback subaccount is not
9 subject to Section 403.095, Government Code.

10 SECTION 3. Section 47.081(d), Parks and Wildlife Code, is
11 amended to read as follows:

12 (d) The department shall set aside at least 20 percent of
13 the fees from licenses issued and license transfers approved under
14 this subchapter [~~to be used only for the purpose of buying back~~
15 ~~those licenses from a willing license holder~~]. That money shall be
16 sent to the comptroller for deposit to the credit of the commercial
17 license buyback subaccount in the game, fish, and water safety
18 account.

19 SECTION 4. Section 78.111(d), Parks and Wildlife Code, is
20 amended to read as follows:

21 (d) The department shall set aside at least 20 percent of
22 the fee from commercial crab licenses and transfer fees [~~to be used~~
23 ~~only for the purpose of buying back commercial crab licenses from a~~
24 ~~willing license holder~~]. That money shall be sent to the
25 comptroller for deposit to the credit of the commercial license
26 buyback subaccount in the game, fish, and water safety account.

27 SECTION 5. The following provisions of the Parks and

1 Wildlife Code are repealed:

2 (1) Sections 47.081(e) and (f);

3 (2) Section 77.120; and

4 (3) Sections 78.111(e) and (f).

5 SECTION 6. On September 1, 2017, the shrimp license buyback
6 account is abolished and the comptroller of public accounts shall
7 transfer the unencumbered balance of the account to the commercial
8 license buyback subaccount created under Section 47.041, Parks and
9 Wildlife Code, as added by this Act.

10 SECTION 7. This Act takes effect September 1, 2017.