

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. Subchapter B, Chapter 47, Parks and Wildlife Code, is amended by adding Section 47.041 to read as follows:

Sec. 47.041. COMMERCIAL LICENSE BUYBACK ACCOUNT. (a) The commercial license buyback account is a separate account in the general revenue fund. The account consists of money deposited to the account under this section and Sections 47.081 and 78.111.

(b) The department may accept grants and donations of money or materials from private or public sources to be applied to the commercial license buyback account.

(c) In addition to fee increases the department is authorized to make under this code, the department shall increase by 15 percent, but not by an amount that exceeds \$25, the fee for the following licenses and shall deposit the amount of the increase to the credit of the commercial license buyback account:

(1) a bait-shrimp dealer's license issued under Section 77.043;

(2) a wholesale fish dealer's license issued under Section 47.009;

(3) a wholesale truck dealer's fish license issued under Section 47.010;

1 (4) a retail fish dealer's license issued under
2 Section 47.011;

3 (5) a retail dealer's truck license issued under
4 Section 47.013;

5 (6) a commercial bait-shrimp boat license issued under
6 Section 77.033;

7 (7) a commercial bay shrimp boat license issued under
8 Section 77.031; and

9 (8) a commercial gulf shrimp boat license issued under
10 Section 77.035.

11 (d) The department shall deposit to the credit of the
12 commercial license buyback account transfer fees received under
13 Section 77.115.

14 (e) Money in the commercial license buyback account may be
15 used only to buy back from a willing license holder a commercial
16 license.

17 (f) Money to be used for the purpose of buying back licenses
18 issued under this subchapter is not subject to Section 403.095,
19 Government Code.

20 SECTION 2. Section 47.081(d), Parks and Wildlife Code, is
21 amended to read as follows:

22 (d) The department shall set aside at least 20 percent of
23 the fees from licenses issued and license transfers approved under
24 this subchapter [~~to be used only for the purpose of buying back~~
25 ~~those licenses from a willing license holder~~]. That money shall be
26 sent to the comptroller for deposit to the credit of the commercial
27 license buyback [~~game, fish, and water safety~~] account.

1 SECTION 3. Section 78.111(d), Parks and Wildlife Code, is
2 amended to read as follows:

3 (d) The department shall set aside at least 20 percent of
4 the fee from commercial crab licenses and transfer fees [~~to be used~~
5 ~~only for the purpose of buying back commercial crab licenses from a~~
6 ~~willing license holder~~]. That money shall be sent to the
7 comptroller for deposit to the credit of the commercial license
8 buyback [~~game, fish, and water safety~~] account.

9 SECTION 4. The following sections of the Parks and Wildlife
10 Code are repealed:

- 11 (1) Sections 47.081(e) and (f);
- 12 (2) Section 77.120; and
- 13 (3) Sections 78.111(e) and (f).

14 SECTION 5. This Act takes effect September 1, 2017.