

## **BILL ANALYSIS**

Senate Research Center  
86R20000 AAF-D

H.B. 1181  
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Water & Rural Affairs  
5/2/2019  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Falcon Lake is a commercial fishing lake managed jointly by the governments of the United States and Mexico through the International Boundary and Water Commission.

Under current law, commercial fishing of catfish on the lake is prohibited in U.S. territory but permitted in Mexico's territory. This disparity creates problems for the regulation and enforcement of fishing laws on both sides of the border.

H.B. 1181 would amend the Parks and Wildlife Code to authorize a person to engage in commercial fishing in the portion of Falcon Lake in Texas that borders Starr and Zapata counties. The person, however, must hold the required fishing license issued by the Texas Parks and Wildlife Department (TPWD) and must engage in commercial fishing only on a vessel licensed as a commercial fishing boat by TPWD. Finally, the bill empowers TPWD to regulate the amount of catfish taken from the lake to protect the catfish population from depletion or waste. The bill also authorizes the Texas Parks and Wildlife Commission to adopt rules related to commercial catfish fishing in Falcon Lake.

H.B. 1181 amends current law relating to the regulation of commercial catfish fishing on Falcon Lake.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Parks and Wildlife Commission in SECTION 2 (Section 351.001, Parks and Wildlife Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 66.111(b), Parks and Wildlife Code, as follows:

(b) Provides that Subsection (a) (relating to prohibiting certain commercial fishing activities) of this section does not apply to:

(1)–(4) makes no changes to these subdivisions.

(5) channel catfish of more than 14 inches in length or blue catfish of more than 14 inches in length taken from the public fresh water of certain counties and bodies of water, including the public fresh water of Falcon Lake in Starr or Zapata County.

SECTION 2. Amends Title 7, Parks and Wildlife Code, by adding Chapter 351, as follows:

#### **CHAPTER 351. STARR AND ZAPATA COUNTIES**

##### **SUBCHAPTER A. FALCON LAKE**

Sec. 351.001. **COMMERCIAL CATFISH FISHING.** (a) Authorizes a person, notwithstanding any other law and except as provided by Subsection (b), to engage in commercial catfish fishing in the portion of Falcon Lake in this state that borders Starr and Zapata Counties if the person:

(1) holds the required commercial fishing license issued by the Texas Parks and Wildlife Department (TPWD); and

(2) engages in the commercial fishing on a vessel licensed as a commercial fishing boat by TPWD.

(b) Authorizes TPWD to regulate the amount of catfish taken from the portion of Falcon Lake described by Subsection (a) if TPWD determines that regulation is necessary to protect the catfish population in Falcon Lake from depletion or waste.

(c) Authorizes the Texas Parks and Wildlife Commission to adopt rules related to commercial catfish fishing in Falcon Lake.

SECTION 3. Effective date: September 1, 2019.