By:  Guillen (Senate Sponsor - Zaffirini) H.B. No. 1181

(In the Senate - Received from the House April 15, 2019; April 16, 2019, read first time and referred to Committee on Water & Rural Affairs; May 19, 2019, reported favorably by the following vote: Yeas 6, Nays 0; May 19, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Perry           X

Creighton       X

Alvarado        X

Johnson         X

Kolkhorst       X

Rodríguez       X

Taylor                    X

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of commercial catfish fishing on Falcon Lake.

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

SECTION 1.  Section 66.111(b), Parks and Wildlife Code, is amended to read as follows:

(b)  Subsection (a) of this section does not apply to:

(1)  a fish, other than a bass of the genus Micropterus, reared in private water under a fish farmer's license;

(2)  a fish possessed legally outside this state and transported into this state;

(3)  bass of the genus Micropterus reared in private water under a fish farmer's license and marketed for the purpose of stocking the water of this state;

(4)  nongame fish regulated under Chapter 67 of this code;

(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 Angelina, Bowie, Camp, Cass, Chambers, Franklin, Freestone, Gregg, Hardin, Harris, Harrison, Jasper, Jefferson, Lamar, Leon, Liberty, Madison, Marion, Montgomery, Morris, Nacogdoches, Navarro, Newton, Orange, Panola, Polk, Red River, Sabine, San Augustine, San Jacinto, Shelby, Titus, Trinity, Tyler, Upshur, or Walker County, the public fresh water of the Neches or Trinity River in Houston County, [~~or~~] the public fresh water of the Colorado River in Bastrop, Colorado, Fayette, Matagorda, or Wharton County, or the public fresh water of Falcon Lake in Starr or Zapata County.

SECTION 2.  Title 7, Parks and Wildlife Code, is amended by adding Chapter 351 to read as follows:

CHAPTER 351. STARR AND ZAPATA COUNTIES

SUBCHAPTER A. FALCON LAKE

Sec. 351.001.  COMMERCIAL CATFISH FISHING. (a) Notwithstanding any other law and except as provided by Subsection (b), a person may 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 department; and

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

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

(c)  The commission may adopt rules related to commercial catfish fishing in Falcon Lake.

SECTION 3.  This Act takes effect September 1, 2019.

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