

AN ACT

relating to the sale and taking of sand, gravel, marl, shell, and mudshell, including the use of funds collected from the sale of those materials and the taking of those materials from the San Jacinto River and its tributaries.

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

SECTION 1. Section 86.017, Parks and Wildlife Code, is amended to read as follows:

Sec. 86.017. USE OF FUNDS. (a) Except as provided by Subsection (b), funds [~~Funds~~] collected by the commission from the sale of marl, sand, gravel, shell, and mudshell may be used for:

- (1) the enforcement of the provisions of this chapter;
- (2) [7] the payment of refunds;
- (3) [~~and~~] the construction and maintenance of fish hatcheries; and
- (4) the enhancement, preservation, and restoration of fish habitats in rivers and streams.

(b) No less than three-fourths of the proceeds from the sale of marl, sand, gravel, shell, and mudshell, after the payment of refunds, shall be used for:

- (1) the construction and maintenance of fish hatcheries; and
- (2) the enhancement, preservation, and restoration of fish habitats in rivers and streams.

1 SECTION 2. Chapter 86, Parks and Wildlife Code, is amended
2 by adding Section 86.0192 to read as follows:

3 Sec. 86.0192. EXEMPTION FOR CERTAIN POLITICAL
4 SUBDIVISIONS. (a) This section applies only to the following
5 political subdivisions:

6 (1) San Jacinto River Authority; and

7 (2) Harris County Flood Control District.

8 (b) A political subdivision may take sand, gravel, marl,
9 shell, and mudshell from the San Jacinto River and its tributaries
10 to restore, maintain, or expand the capacity of the river and its
11 tributaries to convey storm flows.

12 (c) A political subdivision acting under this section is not
13 required to:

14 (1) obtain a permit or pay a fee to take sand, gravel,
15 marl, shell, or mudshell under Subsection (b); or

16 (2) purchase sand, gravel, marl, shell, or mudshell
17 taken under Subsection (b).

18 (d) A political subdivision acting under this section may
19 deposit sand, gravel, marl, shell, or mudshell taken under
20 Subsection (b) on private land.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 1824 was passed by the House on April 12, 2019, by the following vote: Yeas 142, Nays 1, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1824 on May 23, 2019, by the following vote: Yeas 140, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1824 was passed by the Senate, with amendments, on May 16, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor