

AN ACT

relating to creating a Class C menhaden boat license; imposing a fee; requiring a license.

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

SECTION 1. Section 47.008, Parks and Wildlife Code, is amended by amending Subsections (a) and (d) and adding Subsection (a-1) to read as follows:

(a) A boat may not be used for the purpose of catching, storing, and transporting menhaden in tidal water unless the owner of the boat has acquired:

(1) a Class A menhaden boat license; or

(2) a Class C menhaden boat license.

(a-1) The holder of a Class C menhaden boat license may not take or harvest from the public water of the state more than 300 pounds a day of menhaden or an amount set by the department.

(d) The commission shall set the license fee for each ~~Class B~~ menhaden boat for each yearly period:

(1) in an amount not less than \$2,000 for a Class A menhaden boat license;

(2) in an amount not to exceed \$50 for a Class B menhaden boat license; and

(3) at \$420 for a Class C menhaden boat license.

SECTION 2. Section 47.038, Parks and Wildlife Code, is amended by amending Subsection (a) and adding Subsection (a-1) to

1 read as follows:

2 (a) Except as provided by Subsection (a-1), nets [~~Nets~~] or
3 purse seines used for catching menhaden may not be:

4 (1) less than one and one-half inch stretched mesh,
5 excluding the bag;

6 (2) used in any bay, river, pass, or tributary, nor
7 within one mile of any barrier, jetty, island, or pass, nor within
8 one-half mile offshore in the Gulf of Mexico; or

9 (3) used for the purpose of taking edible aquatic
10 products for the purpose of barter, sale, or exchange.

11 (a-1) The holder of a Class C menhaden boat license issued
12 under Section 47.008 may use a cast net, as defined by the
13 commission, to catch menhaden in any coastal bay, river, or
14 tributary landward from the shoreline of the state along the coast
15 of the Gulf of Mexico.

16 SECTION 3. Section 47.008(c), Parks and Wildlife Code, is
17 repealed.

18 SECTION 4. This Act takes effect September 1, 2019.

H.B. No. 2218

President of the Senate

Speaker of the House

I certify that H.B. No. 2218 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. 2218 on May 24, 2019, by the following vote: Yeas 137, Nays 3, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2218 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor