

By: Buckingham

S.B. No. 1241

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the terms and renewal of oyster certificates of
3 location.

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

5 SECTION 1. Sections 76.018(b) and (c), Parks and Wildlife
6 Code, are amended to read as follows:

7 (b) The commission shall determine renewal procedures to
8 follow at the end of each lease term. The procedures:

9 (1) must include:

10 (A) ~~[(1)]~~ a determination that the lease renewal
11 will be based on the need for depuration of polluted oysters and
12 other considerations specified in the oyster management plan;

13 (B) ~~[(2)]~~ payment of a ~~[\$200]~~ fee in an amount
14 set by the commission, due on execution ~~[renewal]~~ of the lease; and

15 (C) ~~[(3)]~~ a condition providing that the current
16 leaseholder will be offered a first right of refusal at the cost of
17 the highest bid at a public auction ~~[if the lease is renewed under~~
18 ~~this chapter]~~; and

19 (2) may include ~~[(4)]~~ any other conditions ~~[for the~~
20 ~~lease renewal]~~ that do not conflict with this chapter.

21 (c) The commission shall determine public auction
22 procedures for the issuance of a lease ~~[that is not renewed by the~~
23 ~~previous leaseholder under Subsection (b)]~~.

24 SECTION 2. The changes in law made by this Act to Section

1 76.018, Parks and Wildlife Code, apply only to the lease of an
2 oyster certificate of location executed on or after the effective
3 date of this Act. A lease for an oyster certificate of location
4 executed before the effective date of this Act is governed by the
5 law in effect on the date the lease was executed, and the former law
6 is continued in effect for that purpose.

7 SECTION 3. This Act takes effect September 1, 2021.