

## **BILL ANALYSIS**

H.B. 1333  
By: Kacal  
Culture, Recreation & Tourism  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Texas Aquaculture Association has found that current law regarding commercially-protected finfish under the Parks and Wildlife Code hinders and prevents the commerce of legally-owned product. The negative impact on Texas fish farmers, upstream suppliers, downstream purveyors, and recreational lake managers has ultimately been passed on to the consumer, as their access to safe and locally-produced food has been reduced. H.B. 1333 seeks to address this issue by exempting Texas wholesalers, retailers, and restaurants from finfish import license requirements when selling listed fish raised by an operator of a Texas commercial aquaculture facility. The bill also exempts the sale of largemouth bass for stocking purposes from certain law relating to feeding requirements, if the fish were reared in private water, harvested for population management purposes, and sold by an operator of such a facility. The legislation would also allow the importation and sale of certain fish raised in the exclusive economic zone, eliminate the requirement that imported fish be dead, and remove conflicting or redundant language.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1333 amends the Parks and Wildlife Code to exempt the following from provisions relating to the sale and purchase of protected fish:

- the sale by a licensed wholesale fish dealer, licensed retail fish dealer, or restaurant of fish raised by being continuously fed a prepared feed; and
- bass of the genus *Micropterus* and crappie that are reared in private water and sold by an operator of a Texas commercial aquaculture facility for the following purposes:
  - stocking water of the state under an applicable permit; or
  - stocking private water with the required documentation.

The bill revises the exemption for the lawful importation of certain fish by a Texas finfish import license holder by doing the following:

- providing for importation from the exclusive economic zone; and
- removing the requirement that the fish be dead when transported or sold.

H.B. 1333 clarifies that the prohibition against the sale and purchase of freshwater fish applies with regard to any fish taken from the state's public fresh water and removes the exemption for the following from the prohibition:

- a fish, other than a bass of the genus *Micropterus*, reared in private water by an operator of a commercial aquaculture facility;
- a fish possessed legally outside Texas and transported into Texas; and
- bass of the genus *Micropterus* reared in private water by an operator of a commercial aquaculture facility and marketed for the purpose of stocking the water of the state.

H.B. 1333 repeals Section 66.111(c), Parks and Wildlife Code, relating to the requirement that certain freshwater fish shipped into Texas for sale or purchase have a bill of lading with the shipment.

**EFFECTIVE DATE**

September 1, 2023.