

BILL ANALYSIS

H.B. 609
By: Vasut
Culture, Recreation & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 2019, the legislature passed H.B. 1300 to allow the Parks and Wildlife Commission to develop a cultivated oyster mariculture program in Texas bays. Cultivated oyster mariculture permit holders have raised concerns about restrictions placed on the cleaning of oyster cages by the Texas Commission on Environmental Quality (TCEQ), specifically those that prohibit the cleaning of oyster cages in Texas bays. As a result, permit holders must remove the cages from a bay, take them to shore, clean them on shore, and then return the cages to the bay, which is time-consuming. H.B. 609 seeks to allow these permit holders to clean oyster cages in a bay by requiring a general permit for aquaculture issued by the TCEQ to allow a cultivated oyster mariculture permit holder to discharge waste related to the cleaning of a structure used to grow oysters for cultivated oyster mariculture into the waters of Texas under certain conditions.

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. 609 amends the Water Code to require a general permit for aquaculture issued by the Texas Commission on Environmental Quality (TCEQ) to allow the holder of a cultivated oyster mariculture permit to discharge into the waters of Texas waste related to the cleaning of a structure used to grow oysters for cultivated oyster mariculture. The bill authorizes a cultivated oyster mariculture permit holder cleaning such a structure to clean the structure only at the location where the permit holder is authorized to operate and only with water from that location. The bill prohibits the permit holder from altering the water in any way before using the water for cleaning, including by adding a soap, chemical, or similar substance. The bill requires the permit holder to comply with all other permit conditions established by the TCEQ and requires the TCEQ, in establishing such a permit condition, to consult with the Parks and Wildlife Department.

EFFECTIVE DATE

September 1, 2025.