

BILL ANALYSIS

C.S.H.B. 4337
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Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Chambers County currently lacks state pilotage services because there are no existing deepwater docks in the area. The bill author has informed the committee that with the proposed terminal at Cedar Port, a pilotage group will be required to manage the expected ship traffic that it will generate and that vessels accessing the future Cedar Port terminal will need to navigate 21 miles of the Houston Ship Channel, which is the same channel that the Houston pilots now navigate.

Additionally, a deputy branch pilot must have a deputy branch pilot's certificate while training, and the training program lasts three years, as does the certificate. The bill author has informed the committee that there is no mechanism to extend the certificate if a deputy branch pilot gets sick or otherwise cannot complete the training in three years and that the language in statute needs to be updated to allow for more efficiency. C.S.H.B. 4337 seeks to address these issues by providing Houston pilots the commission to operate in Chambers County to serve Cedar Port and by updating language relating to the deputy branch pilot's certificate expiration and renewal process.

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

C.S.H.B. 4337 amends the Transportation Code to revise provisions relating to the regulation of pilots for the ports of Harris County and the board of pilot commissioners for those ports as follows:

- updates the definition of "Harris County port," which currently means a place in Harris County into which a vessel enters or from which a vessel departs and the waterway leading to that place from the Gulf of Mexico, by specifying that the applicable places are those into which a vessel using the Houston Ship Channel enters or from which a vessel using the Houston Ship Channel departs, by including such places in Chambers County, and by specifying that the applicable waterway includes any intermediate stops, anchorages, or landing places;
- with respect to the board's exclusive jurisdiction over the regulation of pilots who provide pilot services in Harris County ports, revises the specification that such jurisdiction extends to intermediate stops and landing places for vessels on navigable streams wholly or partially located in the board's jurisdiction by specifying that such jurisdiction also extends to anchorages for vessels on those streams;

- extends the expiration date of a deputy branch pilot's certificate from the third anniversary of the date it is issued to the fourth anniversary of that date and replaces the prohibition against the renewal of such a certificate with an authorization for the certificate to be renewed as provided by the bill's provisions;
- authorizes a person who has been issued such a certificate to apply to renew the certificate if the deputy branch pilot is reappointed by a branch pilot as provided by applicable state law; and
- removes the prohibition against the issuance of such a certificate before the fifth anniversary of the date the person was previously issued such a certificate.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 4337 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the introduced and substitute revise the definition of "Harris County port," the substitute specifies that the waterway leading to an applicable place from the Gulf of Mexico includes any intermediate stops, anchorages, or landing places, which the introduced did not do.

The substitute also includes a provision absent from the introduced specifying that the pilot commissioners board's exclusive jurisdiction over the regulation of pilots who provide pilot services in Harris County ports extends to anchorages for vessels on certain navigable streams, in addition to intermediate stops or landing places for vessels on such streams as specified under current law.

The substitute omits the provision of the introduced that revised the circumstances under which a person is disqualified from being a member of the board of pilot commissioners due to a prohibited interest.