

## **BILL ANALYSIS**

S.B. 2112  
By: Kolkhorst  
Culture, Recreation & Tourism  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill sponsor has informed the committee that Texas has increasingly supported the development of cultivated oyster mariculture as an emerging aquaculture industry that boosts coastal economies and supports environmental sustainability. As the industry grows, the Texas Parks and Wildlife Department has adopted rules to govern its operations, with a goal of ensuring protection of public waters, aquatic species, and ecosystem balance. The bill sponsor has also informed the committee that enforcement challenges have arisen due to relatively low penalties for regulatory violations and that this can undermine compliance and threaten the integrity of the industry. The bill sponsor further informed the committee that certain violations, such as harvesting from unauthorized areas or failing to follow mariculture rules, carry only basic misdemeanor penalties, even for repeat offenders. S.B. 2112 seeks to strengthen enforcement mechanisms for cultivated oyster mariculture by increasing penalties for violations and distinguishing between types of offenses and repeat violations. The goal is to better deter noncompliance, protect coastal ecosystems, and support responsible growth of the mariculture industry by ensuring that bad actors face meaningful consequences.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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**

S.B. 2112 amends the Parks and Wildlife Code to increase the penalty from a Class B Parks and Wildlife Code misdemeanor to a Class A Parks and Wildlife Code misdemeanor for an offense involving violating statutory provisions relating to a required cultivated oyster mariculture permit or prohibited actions relating to cultivated oyster mariculture if it is shown on the trial of the offense that the defendant has been previously convicted of such an offense during the five-year period preceding the date of the trial of the current offense. The bill changes from a Class B Parks and Wildlife Code misdemeanor to a Class C Parks and Wildlife Code misdemeanor the penalty for an offense involving violating a rule adopted under statutory provisions relating to cultivated oyster mariculture, but increases the penalty from a Class C Parks and Wildlife Code misdemeanor to a Class B Parks and Wildlife Code misdemeanor for such an offense if it is shown on the trial of the offense that the defendant has been previously convicted of such an offense two or more times during the five-year period preceding the date of the trial of the current offense.

S.B. 2112 applies only to an offense committed on or after the bill's effective date. An offense committed before that date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense occurred before that date.

**EFFECTIVE DATE**

September 1, 2025.