

## **BILL ANALYSIS**

Senate Research Center  
89R4719 MP-F

S.B. 2112  
By: Kolkhorst  
Water, Agriculture and Rural Affairs  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Oyster mariculture is an important industry in Texas, but violations of regulations concerning oyster cultivation have undermined efforts to protect and sustain the resource. Current penalties for offenses related to oyster mariculture may not be strong enough to deter repeat violators, impacting the sustainability of the industry.

S.B. 2112 aims to increase penalties for individuals or businesses that violate the Parks and Wildlife Code related to oyster mariculture. By enhancing penalties for repeat offenses, the bill seeks to strengthen deterrents against illegal activities and ensure the long-term sustainability of oyster cultivation in Texas.

As proposed, S.B. 2112 amends current law relating to the punishment for certain criminal offenses related to cultivated oyster mariculture and increases a criminal penalty.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 75.0107, Parks and Wildlife Code, by amending Subsection (b) and adding Subsection (b-1) and (b-2), as follows:

(b) Provides that a person commits an offense if the person violates:

(1) Section 75.0104(a) (relating to prohibiting a person from engaging in cultivated oyster mariculture without first having acquired a cultivated mariculture permit) or 75.0106 (Prohibited Actions); or

(2) a rule adopted under Chapter 75 (Cultivated Oyster Mariculture).

Makes nonsubstantive changes to this subsection.

(b-1) Creates this subsection from existing text. Provides that an offense under Subsection (b)(1) is a Class B Parks and Wildlife Code misdemeanor, except that the offense is a Class A Parks and Wildlife Code misdemeanor if it is shown on the trial of the offense that the defendant has been previously convicted of an offense under Subsection (b)(1) during the five-year period preceding the date of the trial of the current offense. Makes nonsubstantive changes.

(b-2) Provides that an offense under Subsection (b)(2) is a Class C Parks and Wildlife Code misdemeanor, except that the offense is a Class B Parks and Wildlife Code misdemeanor if it is shown on the trial of the offense that the defendant has been previously convicted of an offense under Subsection (b)(2) two or more times during the five-year period preceding the date of the trial of the current offense.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.