

By: Kolkhorst

S.B. No. 2112

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for certain criminal offenses related to cultivated oyster mariculture; increasing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 75.0107, Parks and Wildlife Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (b-2) to read as follows:

(b) A person commits an offense if the person ~~[who]~~ violates:

(1) Section 75.0104(a) or 75.0106; or

(2) a rule adopted under this chapter.

(b-1) An ~~[commits an]~~ offense under Subsection (b)(1) ~~[that]~~ 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.

(b-2) 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

1 offense.

2       SECTION 2. The change in law made by this Act applies only  
3 to an offense committed on or after the effective date of this Act.  
4 An offense committed before the effective date of this Act is  
5 governed by the law in effect on the date the offense was committed,  
6 and the former law is continued in effect for that purpose. For  
7 purposes of this section, an offense was committed before the  
8 effective date of this Act if any element of the offense occurred  
9 before that date.

10       SECTION 3. This Act takes effect September 1, 2025.