

BILL ANALYSIS

S.B. 1438
By: Taylor
Culture, Recreation & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the conveyance of property rights by a navigation district to a private party for the purpose of bedding or harvesting oysters and the adverse effects of such conveyance on accrued and vested rights in private oyster leases, the rights of the public to fish oysters in public waters and oyster beds, and the relationship between the Parks and Wildlife Department and its stakeholders. S.B. 1438 seeks to ensure that the Texas oyster industry continues to positively impact the state's economy by prohibiting a navigation district from conveying or exchanging an interest in real property to an individual or private entity for the purpose of bedding or harvesting oysters.

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

S.B. 1438 amends the Water Code to prohibit a navigation district from conveying or exchanging an interest in real property to an individual or private entity for the purpose of bedding or harvesting oysters, regardless of whether the bedding or harvesting is to be done directly by the individual or private entity or the heirs, successors, or assigns of the individual or private entity.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.