

SUBJECT: Selling fish collected from private property

COMMITTEE: Culture, Recreation, and Tourism — committee substitute recommended

VOTE: 4 ayes — Hilderbran, Kuempel, Gallego, Phillips
0 nays
3 absent — Baxter, Dukes, Dunnam

WITNESSES: For — Tim Moore, Texas Aquaculture Association
Against — None

BACKGROUND: The Agriculture Code, chap. 134, requires an individual who operates a fish farm to have a license issued by the Department of Agriculture and to be authorized by the Texas Commission on Environmental Quality to dispose of wastewater.

DIGEST: CSHB 3024 would exempt from the required license the sale of certain fish by owners of private facilities to a person who held an aquaculture license, if the sale was to manage the private facility's population. The fish could not be on the Texas Parks and Wildlife Department's list of exotic fish, shellfish, or aquatic plants, but certain protected fish could be sold.

The bill would take effect September 1, 2005.

SUPPORTERS SAY: This exemption would permit private landowners to improve recreational fishing by permitting them to manage their fish populations. Under current law, they are required to have the same licenses that commercial fish farms must have. For fish farms, these regulations make sense because they are selling fish as a business, but private landowners who would sell excess fish once a year or less should not be required to meet the same standards.

OPPONENTS SAY: No apparent opposition.

NOTES: The committee substitute made technical changes from the filed version.