or re-created by an Act of the 81st Legislature, Regular Session, 2009, that becomes law involving a specialty license plate.

SECTION 22. LARGE COUNTY AND MUNICIPALITY RECREATION AND PARKS ACCOUNT. (a) On the effective date of this Act, the large county and municipality recreation and parks account, established by Section 39, Chapter 1159 (H.B. 12), Acts of the 80th Legislature, Regular Session, 2007, is re-created by this section as an account in the general revenue fund.

(b) The large county and municipality recreation and parks account and the revenue deposited to the credit of the account are exempt from Section 2 of this Act.

SECTION 23. EFFECT OF ACT. (a) This Act prevails over any other Act of the 81st Legislature, Regular Session, 2009, regardless of the relative dates of enactment, that purports to create or re-create a special fund or account in the state treasury or to dedicate or rededicate revenue to a particular purpose, including any fund, account, or revenue dedication abolished under former Section 403.094, Government Code.

(b) Revenue that, under the terms of another Act of the 81st Legislature, Regular Session, 2009, would be deposited to the credit of a special account or fund shall be deposited to the credit of the undedicated portion of the general revenue fund unless the fund, account, or dedication is exempted under this Act.

SECTION 24. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

Passed by the House on May 15, 2009: Yeas 140, Nays 1, 1 present, not voting; the House refused to concur in Senate amendments to H.B. No. 4583 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 4583 on May 31, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 27, 2009: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 4583 on May 31, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 1052

H.B. No. 4593

AN ACT

relating to the marketing of shrimp and aquaculture products.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 47.051(5), Agriculture Code, is amended to read as follows:

(5) "Texas-produced shrimp" means wild-caught shrimp commercially harvested from coastal waters by a shrimp boat licensed by the Parks and Wildlife Department [and produced within the borders of the state].

SECTION 2. Section 47.052(a), Agriculture Code, is amended to read as follows:

(a) The Texas shrimp marketing assistance program is established in the department to assist the Texas wild-caught shrimping [shrimp] industry in promoting and marketing Texas-produced shrimp and educating the public about the Texas wild-caught shrimping [shrimp] industry and Texas-produced shrimp.

SECTION 3. Section 47.053(b), Agriculture Code, is amended to read as follows:

(b) The advisory committee shall be composed of the following nine [10] members:
(1) two owners of commercial bay shrimp boats;
(2) two owners of commercial gulf shrimp boats;
(3) [one member of the Texas shrimp aquaculture industry;
(4) one retail wild-caught shrimp [fish] dealer;
(5) one wholesale wild-caught shrimp [fish] dealer;
(6) one person employed by an institution of higher education as a researcher or instructor specializing in the area of food science, particularly seafood;
(7) one member of the seafood restaurant industry; and
(8) one representative of the public.

SECTION 4. Section 47.054(b), Agriculture Code, is amended to read as follows:
(b) Unless otherwise expressly provided by the legislature, the source of funding for the payment of employee salaries shall be funds generated from the program, including the 10 percent license fee increase authorized by Section 77.002, Parks and Wildlife Code, and the surcharge on license fees authorized by Section 134.014.

SECTION 5. Section 47.055, Agriculture Code, is amended to read as follows:
Sec. 47.055. PROMOTION, MARKETING, AND EDUCATION. The program shall promote and advertise the Texas wild-caught shrimping industry by:
(1) developing and maintaining a database of Texas shrimp wholesalers that sell Texas-produced shrimp;
(2) operating a toll-free telephone number to:
(A) receive inquiries from persons who wish to purchase a particular type of Texas-produced shrimp; and
(B) make information about the Texas wild-caught shrimping industry available to the public;
(3) developing a wild-caught shrimping industry marketing plan to increase the consumption of Texas-produced shrimp;
(4) educating the public about Texas-produced shrimp by providing publicity about the information in the program's database to the public and making the information available to the public through the department's toll-free telephone number and electronically through the Internet;
(5) promoting the Texas wild-caught shrimping industry; and
(6) promoting and marketing, and educating consumers about, Texas-produced shrimp using any other method the commissioner determines appropriate.

SECTION 6. Section 134.014, Agriculture Code, is amended to read as follows:
Sec. 134.014. LICENSE FEES. (a) The department shall issue an aquaculture license or a fish farm vehicle license on completion of applicable license requirements and the payment of a fee by the applicant, as provided by department rule.
(b) In addition to the fees under Subsection (a), the department shall assess and collect a surcharge on the annual license fee for aquaculture facilities producing shrimp for the purpose of funding the Texas shrimp marketing assistance program created under Subchapter B, Chapter 47. The amount of the surcharge shall be set each year, as provided by department rule, in an amount equal to 10 percent of the fees generated by the Parks and Wildlife Department under Section 77.002(e), Parks and Wildlife Code.
(c) The department shall deposit at the end of each quarter, to the credit of the shrimp marketing account, the fees received under Subsection (b) for use by the department to conduct and operate the Texas shrimp marketing assistance program created under Subchapter B, Chapter 47.

SECTION 7. Section 77.002(b), Parks and Wildlife Code, is amended to read as follows:
(b) The shrimp marketing account is an account in the general revenue fund to be used by the Department of Agriculture solely for the purpose of the Texas shrimp marketing assistance program established under Subchapter B, Chapter 47, Agriculture Code. The
account consists of funds deposited to the account under this section \(\text{and Section 134.014(b), Agriculture Code}\). The account is exempt from the application of Section 11.032 of this code and Section 403.095, Government Code.

SECTION 8. This Act takes effect September 1, 2009.

Passed by the House on May 1, 2009: Yeas 122, Nays 20, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 4593 on May 23, 2009: Yeas 143, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 19, 2009: Yeas 30, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 1053

H.B. No. 4594

AN ACT

relating to permits for the movement of oversize and overweight vehicles in a certain county.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 623.252(b), Transportation Code, is amended to read as follows:

(b) A permit issued under this subchapter may authorize:

(1) the transport of cargo only on the following roads in Chambers County:

(A) Farm-to-Market Road 1405 between its intersection with Farm-to-Market Road 2354 and its intersection with Farm-to-Market Road 565; \[and\]

(B) the frontage road of State Highway 99 located in the Cedar Crossing Business Park;

(C) Farm-to-Market Road 565 from its intersection with Farm-to-Market Road 1405 east approximately 6,200 linear feet to the western edge of the 10-foot pipeline easement recorded at volume 351, page 760, of the Chambers County deed records; and

(D) Farm-to-Market Road 2354 from its intersection with Farm-to-Market Road 1405 northwest approximately 300 linear feet to the termination of the state-maintained portion of the road; and

(2) the movement of equipment and commodities weighing 100,000 pounds or less.

SECTION 2. Section 623.255(a), Transportation Code, is amended to read as follows:

(a) A permit issued under this subchapter must include:

(1) the name of the applicant;

(2) the date of issuance;

(3) the signature of the designated agent for the county;

(4) a statement of the kind of cargo being transported, the maximum weight and dimensions of the equipment, and the kind and weight of each commodity to be transported;

(5) a statement of any condition on which the permit is issued;

(6) a statement that the cargo may be transported in Chambers County only over the roads described by Section 623.252(b)(1) \[Farm-to-Market Road 1405 and the frontage road of State Highway 99 located in the Cedar Crossing Business Park\]; and

(7) the location where the cargo was loaded.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

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