

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1246  
By: Jackson, Mike  
Natural Resources  
4/16/2009  
Committee Report (Substituted)

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

H.B. 1858, 78th Legislature, Regular Session, 2003, amended Chapter 47 (Texas Oyster and Shrimp Program) of the Texas Agriculture Code to create the Texas shrimp marketing assistance program (program). The program, administered by the Texas Department of Agriculture, was to be funded at a minimum level of \$250,000 per year through transfers made by the Texas Parks and Wildlife Department (TPWD).

Sections 7 and 8 of H.B. 1858 provided revenue sources to fund the program, including a surcharge on certain shrimp related licenses issued by TPWD. According to Sections 9 and 10 of the bill, the surcharge was limited to an increase of up to 10 percent of the license fees established by TPWD effective September 1, 2002, and was to expire on September 1, 2005.

S.B. 1271, 79th Legislature, Regular Session, 2005, extended the life of the surcharge increase until September 1, 2007, and S.B. 1829, 80th Legislature, Regular Session, 2007, extended the life of the surcharge increase until September 1, 2009.

C.S.S.B. 1246 amends current law relating to fees for certain licenses issued by the Texas Parks and Wildlife Department.

### **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 47.021, Parks and Wildlife Code, as follows:

Sec. 47.021. LICENSE FEES. (a) Prohibits fees for licenses issued under Sections 47.009 (Wholesaler Fish Dealer's License), 47.011 (Retail Fish Dealer's License), and 47.013 (Retail Dealer's Truck License), from being increased by more than 20 percent, rather than 10 percent, of the amount of the fee set by the Parks and Wildlife Commission (commission) and effective on September 1, 2002.

(b) Provide that this section expires September 1, 2013, rather than September 1, 2009.

SECTION 2. Amends Section 77.049, Parks and Wildlife Code, as follows:

Sec. 77.049. LICENSE FEES. (a) Prohibits fees for licenses issued under Sections 77.031 (Commercial Bay Shrimp Boat License) and 77.035 (Commercial Gulf Shrimp Boat License) from being increased by more than 20 percent, rather than 10 percent, of the amount of the fee set by the commission and effective on September 1, 2002.

(b) Provides that this section expires September 1, 2013, rather than September 1, 2009.

SECTION 3. Effective date: upon passage or August 31, 2009.