

BILL ANALYSIS

Senate Research Center
82R7771 SLB-F

S.B. 897
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Agriculture & Rural Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Parks and Wildlife Code contains no provision addressing fraud in saltwater fishing tournaments and there is no provision for the offense of altering a fish to influence the outcome of a fishing tournament.

Saltwater fishing tournaments have increased in size and frequency and the propensity for fraud exists. There is a need for regulations to prevent fraud in these tournaments in the same manner that freshwater tournaments are regulated.

Recent freshwater tournament fraud consists of altering the characteristics of fish to affect weight and/or size in order to affect the outcome of the tournament. Including these acts as violations will prevent fraud and ensure that tournaments involving fish resources are fair.

As proposed, S.B. 897 amends current law relating to fishing tournament fraud and provides penalties.

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. Transfers Section 66.119, Parks and Wildlife Code, to Subchapter A, Chapter 66, Parks and Wildlife Code, redesignates it as Section 66.023, Parks and Wildlife Code, and amends it as follows:

Sec. 66.023. New heading: FRAUD IN FISHING TOURNAMENTS. (a) Redefines "fishing tournament."

(b) Provides that a person commits an offense if, with intent to affect the outcome of a fishing tournament, the person takes certain actions, including altering the length or weight of a fish for the purpose of representing that the fish as entered in the tournament was that length or weight when caught, or entering a fish in the tournament that was taken in violation of any provision of this code or a proclamation or regulation of the commission adopted under this code.

(c)-(d) Makes no changes to these subsections.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2011.