

## **BILL ANALYSIS**

Senate Research Center  
83R14517 SGA-F

H.B. 1241  
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Agriculture, Rural Affairs & Homeland Security  
4/25/2013  
Engrossed

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

Even though the Texas Parks and Wildlife Department regulates the possession and transport of certain harmful aquatic species, it can be difficult to apply such regulation to the microscopic life stages of aquatic species. There are concerns that harmful, or even potentially harmful, aquatic species are a major environmental and industrial threat, with an estimated potential economic impact in the billions of dollars. In addition, experts note that rapidly proliferating harmful aquatic species may be spread through the transport of water in livewells, cooling systems, or other intake systems of boats that are operated on infested waters and subsequently operated on unaffected waters. H.B. 1241 seeks to give the Parks and Wildlife Commission certain rulemaking authority to address this issue in freshwater bodies.

H.B. 1241 amends current law relating to the adoption of rules by the Parks and Wildlife Commission to protect the public water of this state from the spread of aquatic invasive species.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Parks and Wildlife Commission in SECTION 1 (Section 66.0073, Parks and Wildlife Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 66, Parks and Wildlife Code, by adding Section 66.0073, as follows:

Sec. 66.0073. RULES REQUIRING WATER TO BE DRAINED. (a) Defines "public water," "salt water," and "vessel" in this section.

(b) Authorizes the Texas Parks and Wildlife Commission (TPWC) to adopt rules requiring a person leaving or approaching public water to drain from a vessel or portable container on board the vessel any water that has been collected from or has come in contact with public water. Provides that this subsection does not apply to salt water.

(c) Requires TPWC, when promulgating rules described by Subsection (b), to consider the effects on boaters, anglers, and local interests while maintaining the ability to prevent the spread of harmful or potentially harmful exotic fish, shellfish, and aquatic plants.

(d) Authorizes an authorized employee of the Texas Parks and Wildlife Department, if TPWC adopts rules described by Subsection (b), to inspect a vessel leaving or approaching public water, including any portable containers on board the vessel, for the presence of water. Provides that this subsection does not apply to a vessel that is on public water.

SECTION 2. Effective date: upon passage or September 1, 2013.