

BILL ANALYSIS

Senate Research Center

C.S.H.B. 3279
By: Morrison (Hegar)
Agriculture, Rural Affairs & Homeland Security
5/14/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Environmental experts note the various beneficial roles that seagrass meadows play in a coastal environment. Because of the valuable ecosystem services seagrasses provide, resource managers, coastal scientists, environmentalists, and sports enthusiasts have expressed concerns about detrimental impacts of certain boating activities to this important shallow-water habitat. The Texas Parks and Wildlife Commission recently appointed the Coastal User Working Group to discuss and recommend solutions for protecting seagrass habitat and reducing user conflict in the bays and estuaries of the Texas coast. One of the workgroup's recommendations was to develop a regulation protecting seagrasses statewide. In an effort to protect seagrass meadows while preserving access to coastal waters by all user groups, C.S.H.B. 3279 makes the act of uprooting or digging out seagrass plants a criminal offense under certain circumstances.

C.S.H.B. 3279 amends current law relating to the uprooting of seagrass plants and creates an offense. At the agency's request, the committee substitute removes the authority for the General Land Office to grant a waiver. It also adds an additional species of seagrass (*Halodule wrightii*).

C.S.H.B. 3279 amends current law relating to the uprooting of seagrass plants and creates an offense.

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 Subchapter A, Chapter 66, Parks and Wildlife Code, by adding Section 66.024, as follows:

Sec. 66.024. SEAGRASS PLANTS. (a) Defines, in this section, "seagrass plant."

(b) Prohibits a person from uprooting or digging out any rooted seagrass plant from a bay bottom or other saltwater bottom area in the jurisdiction of this state by means of a propeller, except as that uprooting or digging out may be authorized by a commercial license or permit issued by the Texas Parks and Wildlife Department.

(c) Provides that it is a defense to prosecution under this section that a person:

- (1) anchors a vessel within an area containing seagrass plants and uproots a seagrass plant;
- (2) uses an electric trolling motor within an area containing seagrass plants and uproots a seagrass plant; or
- (3) operates a vessel in a manner consistent with the acceleration required to reach and stay on plane.

(d) Provides that a person who violates this section or a proclamation of the Parks and Wildlife Commission under this section commits an offense that is a Class C Parks and Wildlife Code misdemeanor.

SECTION 2. Effective date: September 1, 2013.