

BILL ANALYSIS

Senate Research Center

H.B. 1724
By: Guillen (Rodríguez)
Agriculture, Water & Rural Affairs
5/17/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that license buyback programs ensure the viability of the Texas fishing industry but contend that such programs exist separately from one another and that their funding is sometimes diverted for other purposes. H.B. 1724 seeks to address this issue by providing for a commercial license buyback subaccount in the game, fish, and water safety account.

H.B. 1724 amends current law relating to the establishment of the commercial license buyback account managed by the 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 11.032(b), Parks and Wildlife Code, to delete an exception under Section 77.120 (Shrimp License Buyback Account; Fee Increase).

SECTION 2. Amends Subchapter B, Chapter 47, Parks and Wildlife Code, by adding Section 47.041, as follows:

Sec. 47.041. COMMERCIAL LICENSE BUYBACK SUBACCOUNT. (a) Provides that the commercial license buyback subaccount (subaccount) is a subaccount in the game, fish, and water safety account. Provides that the subaccount consists of money deposited to the subaccount under this section.

(b) Requires the Texas Parks and Wildlife Department (TPWD) to deposit to the credit of the subaccount revenue from certain sources.

(c) Authorizes TPWD to accept grants and donations of money or materials from private or public sources to be applied to the subaccount.

(d) Authorizes money in the subaccount to be used only to buy back a commercial license from a willing license holder.

(e) Provides that the subaccount is not subject to Section 403.095 (Use of Dedicated Revenue), Government Code.

SECTION 3. Amends Section 47.081(d), Parks and Wildlife Code, as follows:

(d) Requires TPWD to set aside at least 20 percent of the fees from licenses issued and license transfers approved under this subchapter, rather than under this subchapter to be used only for the purpose of buying back those licenses from a willing license holder. Requires the money to be sent to the Texas comptroller of public accounts (comptroller) for deposit to the credit of the subaccount in the game, fish, and water safety account, rather than to the credit of the game, fish, and water safety account.

SECTION 4. Amends Section 78.111(d), Parks and Wildlife Code, as follows:

(d) Requires TPWD to set aside at least 20 percent of the fee from commercial crab licenses and transfer fees, rather than transfer fees to be used only for the purpose of buying back commercial crab licenses from a willing license holder. Requires that money to be sent to the comptroller for deposit to the credit of the subaccount in the game, fish, and water safety account, rather than the credit of the game, fish, and water safety account.

SECTION 5. Repealers: Sections 47.081(e) (relating to TPWD accepting money or materials for buying back licenses from a willing license holder) and (f) (relating to money for buying back licenses being exempted from Section 403.095, Government Code), Parks and Wildlife Code.

Repealer: Section 77.120 (Shrimp License Buyback Account; Fee Increase), Parks and Wildlife Code.

Repealer: Sections 78.111(e) (relating to TPWD soliciting and accepting money or materials for buying back commercial crab licenses from a willing license holder) and (f) (relating to money for buying back commercial crab licenses being exempted from Section 4.03.095, Government Code), Parks and Wildlife Code.

SECTION 6. Provides that, on September 1, 2017, the shrimp license buyback account is abolished and the comptroller is required to transfer the unencumbered balance of the account to the subaccount created under Section 47.041, Parks and Wildlife Code, as added by this Act.

SECTION 7. Effective date: September 1, 2017.