SECTION 3. This Act takes effect September 1, 2013.

Passed by the House on May 9, 2013: Yeas 137, Nays 2, 3 present, not voting; passed by the Senate on May 21, 2013: Yeas 22, Nays 9.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 1071

H.B. No. 3279

AN ACT relating to the uprooting of seagrass plants; creating an offense.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 66, Parks and Wildlife Code, is amended by adding Section 66.024 to read as follows:

Sec. 66.024. SEAGRASS PLANTS. (a) In this section, "seagrass plant" means a flowering marine plant of the species:

(1) Cymodocea filiformis, known as manatee grass;
(2) Halodule beaudettei or Halodule wrightii, known as shoal grass;
(3) Halophila engelmannii, known as star grass or Engelmann’s seagrass;
(4) Ruppia maritima, known as widgeon grass; or
(5) Thalassia testudinum, known as turtle grass.

(b) A person may not uproot or dig 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 department.

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

SECTION 2. This Act takes effect September 1, 2013.

Passed by the House on May 10, 2013: Yeas 129, Nays 14, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 3279 on May 23, 2013: Yeas 118, Nays 28, 2 present, not voting; passed by the Senate, with amendments, on May 20, 2013: Yeas 30, Nays 1.

Approved June 14, 2013.

Effective September 1, 2013.