

## **BILL ANALYSIS**

Senate Research Center  
80R5338 ABC-D

H.B. 2769  
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5/8/2007  
Engrossed

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

Oyster leases are marked by buoys on the four corners of the lease. Current law requires that the lease permit holder maintain the buoys in the correct position at all times. If the buoys are not in the proper positions, no person may be prosecuted for removing oysters without the owner's authorization from oyster leases.

Because the buoys are not permanently fixed to the bottom of the bay, they can be moved intentionally or unintentionally. H.B. 2769 allows oyster lease permit holders to use permanent markers to mark the boundaries of an oyster lease.

### **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 76.036(a), Parks and Wildlife Code, to require the holder of a permit to clearly and distinctly mark by buoys or other permanent markers easily visible above the surface of the water the boundaries of the areas designated in the permit from which he may take or in which he may deposit oysters.

SECTION 2. Effective date: upon passage or September 1, 2007.