

BILL ANALYSIS

Senate Research Center
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S.B. 375
By: Lucio
Natural Resources
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 375 ensures that any hunting and fishing licenses, stamps, permits, and tags are valid for one year beginning on the date of issuance. Currently hunting and fishing licenses expire within a fiscal year beginning on September 1 and ending August 31. This bill will establish a licensing system in which licenses expire one year from the date of purchase. Year-to-date fishing licenses are already available in Texas and have proven to be popular among Texas sportsmen.

As proposed, S.B. 375 amends current law relating to the expiration date of hunting and fishing licenses, stamps, permits, or tags.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Parks and Wildlife Commission is rescinded in SECTION 1 (Section 42.0175, Parks and Wildlife Code), SECTION 3 (Section 43.045, Parks and Wildlife Code), SECTION 4 (Section 43.0722, Parks and Wildlife Code), SECTION 5 (Section 43.201, Parks and Wildlife Code), SECTION 6 (Section 43.4035, Parks and Wildlife Code), SECTION 8 (Section 43.806, Parks and Wildlife Code), SECTION 10 (Section 46.007, Parks and Wildlife Code), SECTION 11 (Section 50.0021, Parks and Wildlife Code), SECTION 12 (Section 65.0071, Parks and Wildlife Code), SECTION 13 (Section 66.017, Parks and Wildlife Code), SECTION 14 (Section 71.010, Parks and Wildlife Code), and SECTION 15 (Section 76.1031, Parks and Wildlife Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 42.0175(a), Parks and Wildlife Code, as follows:

(a) Provides that a license issued under this chapter, other than a lifetime resident hunting license or a nonresident five-day special hunting license, is valid for one year beginning on the date the license is issued.

Deletes existing text providing that a license issued under this chapter is valid only during the yearly period for which the license is issued without regard to the date on which a license is acquired. Deletes existing text providing that each yearly period begins on September 1 or on another date set by the Texas Parks and Wildlife Commission (commission) and extends through August 31 of the next year or another date set by the commission. Deletes existing text providing that a license issued under this chapter other than a nonresident five-day special hunting license that is issued before September 1 or another date set by the commission and does not expire until August 31 of the next year or another date set by the commission is valid from the date of issuance through August 31 of the following year or another date set by the commission. Deletes existing text authorizing the commission by rule to set the amount of a license fee for a license issued during a transition period at an amount lower than prescribed in this chapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 2. Amends Sections 42.022(a) and (d), Parks and Wildlife Code, as follows:

(a) Provides that no person may acquire or possess more than one hunting license during a license year. Deletes existing text providing that, for purposes of this section, a

violation does not occur unless a person acquires or possesses more than one license having the same expiration date.

(d) Provides that for purposes of this section, a license year begins on the date the license is issued, rather than September 1 or another date set by the commission and extends through August 31 of the next year or another date set by the commission.

SECTION 3. Amends Section 43.045, Parks and Wildlife Code, as follows:

Sec. 43.045. DURATION OF LICENSE. Provides that a hunting lease license is valid for one year beginning on the date the license is issued, rather than the period from September 1 or another date set by the commission through August 31 of the next year or another date set by the commission. Deletes existing text authorizing the commission by rule to set the amount of a license fee for a license issued during a transition period at an amount lower than prescribed in this subchapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 4. Amends Section 43.0722(f), Parks and Wildlife Code, as follows:

(f) Provides that the private bird hunting area license is valid for one year beginning on the date the license is issued, rather than from September 1 or another date set by the commission through August 31 of the next year or another date set by the commission. Deletes existing text authorizing the commission by rule to set the amount of a license fee for a license issued during a transition period at an amount lower than prescribed in this subchapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 5. Amends 43.201(e), Parks and Wildlife Code, as follows:

(e) Provides that a stamp issued under this subchapter is valid for one year beginning on the date the stamp is issued, rather than valid for hunting only during the yearly period for which the stamp is issued without regard to the date on which the stamp is acquired.

Deletes existing text providing that each yearly period begins on September 1 or another date set by the commission and extends through August 31 of the next year or another date set by the commission. Deletes existing text authorizing the commission by rule to set the amount of a stamp fee for a stamp issued during a transition period at an amount lower than prescribed in this subchapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 6. Amends Section 43.4035(a), Parks and Wildlife Code, as follows:

(a) Provides that except as provided by Subsection (c), rather than Subsection (b) or (c), a stamp issued under this subchapter is valid for one year beginning on the date the stamp is issued, rather than valid for fishing only during the yearly period for which the stamp is issued, without regard to the date on which the stamp is acquired.

Deletes existing text providing that each yearly period begins on September 1 or another date set by the commission and extends through August 31 of the next year or another date set by the commission. Deletes existing text authorizing the commission by rule to set the amount of a stamp fee for a stamp issued during a transition period at an amount lower than prescribed in this subchapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 7. Amends Section 43.654(g), Parks and Wildlife Code, as follows:

(g) Provides that a stamp issued under this subchapter is valid for one year beginning on the date the stamp is issued, rather than valid for hunting only during the yearly period for which the stamp is issued, without regard to the date on which the stamp is acquired. Deletes existing text providing that each yearly period begins on September 1 or another

date set by the commission and extends through August 31 of the next year or another date set by the commission.

SECTION 8. Amends Section 43.806(a), Parks and Wildlife Code, as follows:

(a) Provides that except as provided by Subsection (c), rather than Subsection (b) or (c), a stamp issued under this subchapter is valid for one year beginning on the date the stamp is issued, rather than valid for fishing only during the yearly period for which the stamp is issued, without regard to the date on which the stamp is acquired.

Deletes existing text providing that each yearly period begins on September 1 or another date set by the commission and extends through August 31 of the next year or another date set by the commission. Deletes existing text authorizing the commission, by rule, to set the amount of a stamp fee for a stamp issued during a transition period at an amount lower than prescribed in this subchapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 9. Amends Section 43.901(e), Parks and Wildlife Code, as follows:

(e) Provides that a stamp issued under this subchapter is valid for one year beginning on the date the stamp is issued, rather than valid for hunting only during the yearly period for which the stamp is issued, without regard to the date on which the stamp is acquired. Deletes existing text providing that each yearly period begins on September 1 or another date set by the commission and extends through August 31 of the next year or another date set by the commission.

SECTION 10. Amends Sections 46.007(a) and (b), Parks and Wildlife Code, as follows:

(a) Provides that, except as provided by Subsections (b), (c), (e), and (f), rather than Subsections (b), (c), (d), (e), and (f), of this section, a license required or authorized by this subchapter is valid for one year beginning on the date the license is issued, rather than valid only during the yearly period for which it issued without regard to the date on which a license is acquired.

Deletes existing text providing that each yearly period begins on September 1 or on another date set by the commission and extends through August 31 of the next year or another date set by the commission. Deletes existing text authorizing the commission by rule to set the amount of a license fee for a license issued during a transition period at an amount lower than prescribed in this chapter and provide for a license term for a transition period that is shorter or longer than a year.

(b) Provides that a license issued under Section 46.005 or 46.0051 is valid for the number of consecutive days authorized on the license, rather than is valid for the number of consecutive days authorized and does not necessarily expire on August 31 or another date set by the commission. Makes a nonsubstantive change.

SECTION 11. Amends Section 50.0021(a), Parks and Wildlife Code, as follows:

(a) Provides that, except as provided by Subsection (c), rather than Subsections (b) and (c), of this section, a license required or authorized by this chapter is valid for one year beginning on the date the license is issued, rather than valid only during the yearly period for which the license is issued, without regard to the date on which the license is acquired.

Deletes existing text providing that each yearly period begins on September 1 or another date set by the commission and extends through August 31 of the next year or another date set by the commission. Deletes existing text authorizing the commission by rule to set the amount of a license fee for a license issued during a transition period at an amount lower than prescribed in this chapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 12. Amends Section 65.0071, Parks and Wildlife Code, as follows:

Sec. 65.0071. EXPIRATION OF LICENSES. Provides that a license issued under this subchapter is valid for one year beginning on the date the license is issued, rather than valid for fishing only during the yearly period for which the license is issued without regard to the date on which the license is acquired.

Deletes existing text providing that each yearly period begins on September 1 or another date set by the commission and extends through August 31 of the next year or another date set by the commission. Deletes existing text authorizing the commission by rule to set the amount of a license fee for a license issued during a transition period at an amount lower than prescribed in this subchapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 13. Amends Section 66.017(a), Parks and Wildlife Code, as follows:

(a) Provides that all licenses, tags, and permits issued under this chapter, rather than under the authority of Chapter 66 (Fish and Aquatic Plants), are valid for one year beginning on the date the license, tag or permit is issued, rather than valid only during the yearly period for which they are issued, without regard to the date on which the license is acquired.

Deletes existing text providing that each yearly period begins on September 1 or another date set by the commission and extends through August 31 of the next year or another date set by the commission. Deletes existing text authorizing the commission by rule to set the amount of a license fee for a license issued during a transition period at an amount lower than prescribed in this subchapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 14. Amends Section 71.010, Parks and Wildlife Code, as follows:

Sec. 71.010. LICENSE PERIOD. Provides that a license issued under this chapter is valid for one year beginning on the date the license is issued, rather than September 1 or another date set by the commission and extends through August 31 of the next year or another date set by the commission, and a license is current and valid only for the license period for which it is issued.

Deletes existing text authorizing the commission by rule to set the amount of a license fee for a license issued during a transition period at an amount lower than prescribed in this chapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 15. Amends Section 76.1031(a), Parks and Wildlife Code, as follows:

(a) Provides that a license issued under this chapter is valid for one year beginning on the date the license is issued, rather than providing that all licenses issued under the authority of Chapter 76 (Oysters), are valid only during the yearly period for which the license is issued, without regard to the date on which the licenses are acquired.

Deletes existing text providing that each yearly period begins on September 1 or another date set by the commission and extends through August 31 of the next year or another date set by the commission. Deletes existing text authorizing the commission by rule to set the amount of a license fee for a license issued during a transition period at an amount lower than prescribed in this subchapter and provide for a license term for a transition period that is shorter or longer than a year.

SECTION 16. Amends Section 77.048(c), Parks and Wildlife Code, to provide that the individual bait-shrimp trawl license is valid for one year beginning on the date the license is issued, rather than expires on August 31 following the date of issuance.

SECTION 17. Repealer: Section 43.4035(b) (relating to the validity of a saltwater sportfishing stamp), Parks and Wildlife Code.

Repealer: Section 43.806(b) (relating to the validity of a freshwater fishing stamp), Parks and Wildlife Code.

Repealer: Section 46.007(d) (relating to the expiration date of a license issued under Section 46.004), Parks and Wildlife Code.

Repealer: Section 50.0021(b) (relating to the expiration date of a license), Parks and Wildlife Code.

SECTION 18. Makes application of this Act prospective.

SECTION 19. Effective date: September 1, 2013.