

CHAPTER 221

H.B. No. 1146

AN ACT

relating to statistical reporting by aquatic products dealers.

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

SECTION 1. Sections 66.019(b), (c), and (d), Parks and Wildlife Code, are amended to read as follows:

(b) The department shall prescribe *the method or methods used to gather information and shall[,] produce[,] and distribute any applicable [the] report forms [form]. [The form shall be designed to allow for statistical information concerning the numbers and quantity by weight of each species taken, the kinds of equipment used to take each species, and the name of the body of water from which each species was taken.]*

(c) *Unless otherwise required by the department, no [No] dealer who purchases or receives aquatic products directly from any person other than a licensed dealer may fail to file the report with the department each month on or before the 10th day of the month following the month in which the reportable activity occurred. The report must be filed even if no reportable activity occurs in the month covered by the report. No dealer required to report may file an incorrect or false report. A culpable mental state is not required to establish an offense under this section.*

(d) *Unless otherwise required by the department, no [No] dealer who purchases, receives, or handles aquatic products, other than oysters, from any person except another dealer may fail to:*

(1) maintain cash sale tickets in the form required by this section as records of cash sale transactions; or

(2) make the cash sale tickets available for examination by authorized employees of the department for statistical purposes or as a part of an ongoing investigation of a criminal violation during reasonable business hours of the dealer.

SECTION 2. This Act takes effect September 1, 1993.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 1, 1993, by a non-record vote; passed by the Senate on May 12, 1993: Yeas 31, Nays 0.

Approved May 18, 1993.

Effective Sept. 1, 1993.