

CHAPTER 447

H.B. No. 1704

AN ACT

relating to the generation of revenue for the Parks and Wildlife Department by credit card fees and the lease of grazing rights and sale of certain products grown on park lands.

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

SECTION 1. Section 11.027, Parks and Wildlife Code, is amended by adding Subsection (d) to read as follows:

*(d) The commission may set and charge a fee for the use of a credit card to pay a fee assessed by the department in an amount reasonable and necessary to reimburse the*

*department for the costs involved in the use of the card. The department shall deposit the money in the state treasury.*

SECTION 2. Section 13.0061, Parks and Wildlife Code, is amended to read as follows:

Sec. 13.0061. LEASE OF GRAZING [~~OR FARMING~~] RIGHTS ON PARK LANDS; SALE OF PRODUCTS. (a) The department may lease *grazing rights* on any state park or any area of a state park. *The department may harvest and sell, or sell in place, any timber, hay, or other product grown on state park land the department finds to be in excess of natural resource management programming needs. Timber may be harvested only for forest pest management, salvage, or habitat restoration and under good forestry practices with the advice of the Texas Forest Service* [~~for the purpose of grazing livestock or growing agricultural crops~~].

(b) The department may agree to accept *materials, supplies, or services instead of money as part or full payment for a sale or lease under this section. The department may not assign to the materials, supplies, or services accepted as payment under this subsection a value that exceeds their actual market value* [~~livestock instead of money as payment for grazing rights granted under this section. If the department accepts livestock as payment, the department shall sell the livestock for its fair market value~~].

(c) ~~Except for consideration accepted under Subsection (b) of this section, all~~ [The department may agree to accept crops instead of money as payment for farming rights granted under this section. If the department accepts crops as payment, the department shall either sell the crop for its fair market value or shall utilize the crop in any state park.

[~~(d) All~~] revenue derived from a lease or [~~from the~~] sale [~~of livestock or crops~~] under this section shall be deposited in the state treasury to the credit of the state parks fund.

SECTION 3. (a) A fee charged by the department for the use of a credit card under Section 11.027(d), Parks and Wildlife Code, as added by this Act, applies only to a credit card purchase on or after the effective date of this Act.

(b) The change in law made by Section 13.0061, Parks and Wildlife Code, as amended by this Act, applies only to a lease or agreement made by the department on or after the effective date of this Act. A lease that was in effect or an agreement made by the department to accept livestock or crops as payment for a lease before the effective date of this Act is covered by the law as it existed on the date the lease or agreement was made, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 1993.

SECTION 5. 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 May 4, 1993, by a non-record vote; the House refused to concur in Senate amendments to H.B. No. 1704 on May 24, 1993, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 1704 on May 29, 1993, by a non-record vote; passed by the Senate, with amendments, on May 19, 1993, by a viva-voce vote; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 1704 on May 29, 1993, by a viva-voce vote.

Approved June 6, 1993.

Effective Sept. 1, 1993.