

CHAPTER 635

H.B. No. 2101

AN ACT

relating to taking or attempting to take fish by the use of nets in certain canals or other artificial or man-made waterways; providing a criminal penalty.

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

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SECTION 1. Subchapter A, Chapter 66, Parks and Wildlife Code, is amended by adding Section 66.0091 to read as follows:

Sec. 66.0091. FISHING IN CERTAIN MAN-MADE WATERWAYS. (a) This section applies to a county in which at least 60 percent of the total area of the county is regularly covered by water and in which the majority of the total area of a wildlife refuge for species of wildlife on the federal endangered species list is located.

(b) No person may take or attempt to take fish of any variety by the use of nets, except hand-cast nets or minnow seines, from any canal or other artificial or man-made waterway within any platted subdivision platted under Chapter 231, Acts of the 40th Legislature, Regular Session, 1927 (Article 974a, Vernon's Texas Civil Statutes), if two or more residences abut onto the canal or waterway.

(c) No person may set any net in the mouth of a canal or waterway described in this section that interferes with or impedes the free movement of fish into or out of the canal or waterway.

SECTION 2. Section 66.012(b), Parks and Wildlife Code, is amended to read as follows:

(b) A person who violates Section 66.003, 66.005, ~~[or]~~ 66.009, or 66.0091 of this code commits an offense that is a Class B Parks and Wildlife Code misdemeanor.

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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 8, 1987, by the following vote: Yeas 134, Nays 0, 1 present, not voting. Passed by the Senate on May 25, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective June 19, 1987.