

Union Calendar No. 198

115TH CONGRESS
1ST SESSION

H. R. 1807

[Report No. 115–278, Part I]

To exempt from the Lacey Act and the Lacey Act Amendments of 1981 certain water transfers between any of the States of Texas, Arkansas, and Louisiana.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2017

Mr. GOHMERT (for himself, Mr. SESSIONS, Mr. SAM JOHNSON of Texas, Mr. WESTERMAN, Mr. WEBER of Texas, Mr. RATCLIFFE, Mr. HIGGINS of Louisiana, Mr. BABIN, and Mr. JOHNSON of Louisiana) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

AUGUST 25, 2017

Reported from the Committee on Natural Resources

AUGUST 25, 2017

The Committee on the Judiciary discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To exempt from the Lacey Act and the Lacey Act Amendments of 1981 certain water transfers between any of the States of Texas, Arkansas, and Louisiana.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Public Water Supply
5 Invasive Species Compliance Act of 2017”.

6 **SEC. 2. EXEMPTION OF CERTAIN WATER TRANSFERS FROM**
7 **THE LACEY ACT AND THE LACEY ACT AMEND-**
8 **MENTS OF 1981.**

9 (a) EXEMPTION.—Section 42 of title 18, United
10 States Code (popularly known as the Lacey Act), and the
11 Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.)
12 shall not apply with respect to any covered water transfer,
13 if—

14 (1)(A) all prohibited species in the water trans-
15 ferred are located in both of the public water sup-
16 plies between which the water is transferred; and

17 (B) the water is transferred directly between
18 such public water supplies; or

19 (2) the water is transferred in a closed convey-
20 ance system directly to treatment facilities where all
21 prohibited species contained in the water transferred
22 will be extirpated.

23 (b) DEFINITIONS.—In this section:

24 (1) COVERED WATER TRANSFER.—The term
25 “covered water transfer” means a transfer between

1 public water supplies located on, along, or across the
2 State boundaries between any of Texas, Arkansas,
3 and Louisiana, of water containing a prohibited spe-
4 cies.

5 (2) PROHIBITED SPECIES.—The term “prohib-
6 ited species” means any species—

7 (A) the shipment of which is otherwise
8 prohibited by section 42 of title 18, United
9 States Code; or

10 (B) the transfer of which is otherwise pro-
11 hibited by the Lacey Act Amendments of 1981
12 (16 U.S.C. 3371 et seq.).

13 (3) PUBLIC WATER SUPPLY.—The term “public
14 water supply” means any body of water, including
15 any river, lake, or stream, the water of which is
16 available or made available to the public.

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