

# Rules for Bait Collection & Usage for Texas Recreational Anglers

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**Sea Grant**  
Texas

AT TEXAS A&M UNIVERSITY

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While it is essential for fishermen to be aware of fishing regulations pertaining to the game fish they are targeting, such as size restrictions, seasonal closures and bag limits, Texas anglers also need to stay informed about rules and regulations pertaining to bait. Specific regulations apply to the collection and use of bait in Texas state waters and in U.S. federal waters. This handout provides a summary of these regulations for the Gulf of Mexico. This document was prepared for general informational purposes and has no legal effect.

Refer to the regulations set forth by the Texas Parks and Wildlife Department for state waters ([tx.ag/TPWDGenFishRegs](http://tx.ag/TPWDGenFishRegs)) and the National Oceanic and Atmospheric Administration for federal waters (50 CFR 622, [tx.ag/50CFR622](http://tx.ag/50CFR622)) for specific fishing regulations. All anglers should review this documentation to ensure that they are complying with the law when collecting and using bait.

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# Texas Bait Regulations

## General Information

- Bait is defined as “something used to lure any wildlife resource” by the Texas Parks and Wildlife Department (TPWD).
- Some counties have specific bait fish regulations. Know where you are fishing and check the local regulations.
- It is unlawful to leave bait fish from public Texas state waters to die without the intent to retain the fish for consumption or for bait.

Texas state waters are from 0 to 9 nautical miles from shore.

## Transportation of Live Bait

- Live fish, including personally caught live bait, cannot be transported from the water body where the fish were caught in.
- Transport and use of commercially purchased live bait in water while fishing from a vessel is allowed, provided persons in possession of the bait have a receipt that identifies the source of the bait. Any live bait purchased from a location on or adjacent to public water body that is transported in water from that water body can only be used as bait on that same water body.

## Selling Bait



An angler preparing to bait a hook.  
Photo courtesy of Ron Lach via Pexels

- Individuals who wish to sell their catch of bait (minnows, fish, or other aquatic products, except shrimp) are required to have a Bait Dealer Individual License from TPWD. See TPWD's Official Texas Hunting & Fishing Licenses at [tx.ag/TPWDLicenses](https://tx.ag/TPWDLicenses) for more information.
- Individuals who wish to sell their catch of bait harvested from fresh waters are also required to have a Permit to Possess or Sell Nongame Fish Taken from Public Fresh Water from TPWD, in addition to the Bait Dealer Individual License. See TPWD's Official Texas Hunting & Fishing Licenses at [tx.ag/TPWDLicenses](https://tx.ag/TPWDLicenses) for more information.

## Species-Specific Information

### Gamefish

***It is unlawful to use any game fish or part of a game fish as bait.*** Game fish species include:

- |   |                         |
|---|-------------------------|
| ◇ Bass: Alabama, Guadalupe, largemouth, smallmouth, spotted, striped, white, yellow | ◇ Seatrout, spotted     |
| ◇ Catfish: blue, channel, flathead  | ◇ Sharks                |
| ◇ Cobia   | ◇ Snook                 |
| ◇ Crappie: black, white   | ◇ Spearfish, longbill   |
| ◇ Mackerel: king, Spanish   | ◇ Swordfish, broadbill  |
| ◇ Marlin: blue, white   | ◇ Tarpon                |
| ◇ Pickerel  | ◇ Tripletail            |
| ◇ Red drum  | ◇ Trout: brown, rainbow |
| ◇ Sailfish  | ◇ Wahoo                 |
|   | ◇ Walleye               |

### Shrimp

***It is unlawful to use imported shrimp in Texas waters.*** This includes all shrimp species not native to the Gulf of Mexico, including shrimp imported from other states and countries. It is unlawful to introduce imported shrimp to the aquatic environment, whether it is whole or in pieces, alive or dead. Imported shrimp must be labeled with the country of origin. However, if you are unsure of the origin of the shrimp, ask the retailer about its origin, and if still unsure, do not use it as bait.

Imported shrimp can carry diseases or viruses that may be transmitted to native Gulf shrimp species as well as other shellfish, such as crabs or crawfish, which could harm Texas aquatic ecosystems. Many viruses, such as White Spot Syndrome Virus, do not die when the shrimp is frozen, so be sure to not use imported shrimp even if it is frozen.

- Pacific White Shrimp or Whiteleg Shrimp (*Litopenaeus vannamei*)
- Pacific blue shrimp (*Litopenaeus stylirostris*)
- Tiger shrimp (*Penaeus monodon*)
- Yellowleg shrimp (*Farfantepenaeus californiensis*)



Man holding a Texas shrimp. Photo by Texas Sea Grant.



## Native Texas Gulf Shrimp Species



BROWN SHRIMP (*FARFANTEPENAEUS AZTECUS*)



PINK SHRIMP (*FARFANTEPENAEUS DUORARUM*)



WHITE SHRIMP (*LITOPENAEUS SETIFERUS*)

### Gear Information

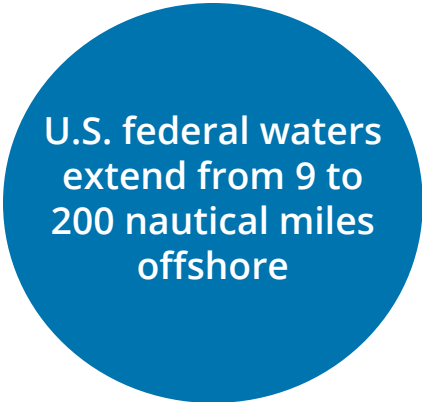
For definitions and regulations pertaining to each gear type including size, rigging, and tagging/marking requirements, consult Legal Devices, Methods, & Restrictions in TPWD's General Fishing Rules & Regulations at [tx.ag/TPWDFishingRules](http://tx.ag/TPWDFishingRules).

It is legal to use the following gear types to catch non-game fish species in salt water

- |   |   |
|---|---|
| ◇ Cast net  | ◇ Minnow trap                           |
| ◇ Crab line   | ◇ Oyster dredge                         |
| ◇ Crab traps (including folding panel traps)  | ◇ Perch traps                           |
| ◇ Dip net   | ◇ Pole and line (includes rod and reel) |
| ◇ Gaff  | ◇ Sail line                             |
| ◇ Gig   | ◇ Sand pump                             |
| ◇ Handfishing   | ◇ Seine                                 |
| ◇ Lawful archery equipment (check with local authorities on any regulations restricting use of archery equipment in the public waters you want to fish in.) | ◇ Spear/speargun                        |
|   | ◇ Trotline                              |
|   | ◇ Trawl                                 |
|   | ◇ Umbrella net                          |

# Federal Bait Regulations

## *General Information*



U.S. federal waters  
extend from 9 to  
200 nautical miles  
offshore

U.S. federal waters begin where Texas state waters end at 9 nautical miles from shore, and extend to 200 nautical miles offshore within the boundaries of the U.S. Exclusive Economic Zone (EEZ).

For a full list of fishing regulations in Gulf of Mexico federal waters, consult the Code of Federal Regulations (50 CFR 622) at [tx.ag/50CFR622](https://www.ecfr.gov/current/title-50/chapter-I/subchapter-B/part-600/subpart-622)

For Frequently Asked Questions about bait regulations in federal waters from the Gulf of Mexico Fishery Management Council, see: [tx.ag/GCBait](https://www.gulf-council.org/bait-questions/)

## *Species-Specific Information*

### **Reef Fish**

Gulf reef fish may not be used as bait in any fishery (50 CFR §622.9).

- ◇ Species considered to be reef fish (includes snappers, groupers, tilefish, jacks, triggerfish, and hogfish) are listed here: [tx.ag/GCReefFish](https://www.gulf-council.org/reef-fish/)
- ◇ Exception: it is legal to use filleted carcasses and guts of Gulf reef fish as bait in trap fisheries for blue crab, stone crab, deep-water crab, and spiny lobster, when purchased from a fish processor/dealer.

### **Fish Guts or Carcasses**

Generally, all finfish harvested from federal waters must be maintained with heads and fins intact. This applies to all finfish, not just species designated as reef fish, coastal migratory, or highly migratory species (50 CFR 622.10). This also applies to fish you have landed and cleaned on a previous fishing trip to use as bait on a subsequent trip. However, bait is exempt from this requirement in the Gulf EEZ if it meets one of the following criteria (50 CFR §622.10):

- ◇ Packaged, headless fish fillets that have the skin attached and are frozen or refrigerated;
- ◇ Headless fish fillets that have the skin attached and are held in brine; or
- ◇ Small pieces no larger than 3 in<sup>3</sup> or strips no larger than 3 x 9 inches that have the skin attached and are frozen, refrigerated, or held in brine.

## Coastal Migratory Pelagic Fish

There is no specific prohibition on using coastal migratory pelagic species as bait, which includes king mackerel, Spanish mackerel, and cobia (for managed species designations, see [tx.ag/GCManagedSpecies](https://tx.ag/GCManagedSpecies).)

If using coastal migratory pelagic species as bait, they must be maintained in whole condition. Heads and fins must remain intact, and size and bag limits apply.

## Sharks

It is prohibited to use sharks as bait in federal waters. Any vessel possessing an Atlantic Highly Migratory Species (HMS) permit is prohibited from using sharks as bait, even if the vessel is in state waters.

There is *no exception* for shark carcasses or parts purchased from a processor.



A great hammerhead shark (*Sphyrna mokarran*). Photo by Ben Phillips.

## Gear Information

It is only legal to use filleted carcasses and guts of Gulf reef fish as bait in trap fisheries for blue crab, stone crab, deep-water crab, and spiny lobster, when purchased from a fish processor/dealer.

Non-stainless steel circle hooks are required when fishing for reef fish with natural baits (50 CFR §622.30).

- ◇ Circle hooks are not required when using artificial baits (e.g., lures and jigs).
- ◇ Circle hooks are required when using a combination of natural and artificial baits.

It is prohibited to use the following gear types when fishing in Gulf of Mexico federal waters:

- ◇ Explosives (such as dynamite or similar explosive substances)
- ◇ Chemicals
- ◇ Fish traps

**For more recreational fishing resources  
from Texas Sea Grant visit  
[tx.ag/anglerresources](http://tx.ag/anglerresources)**