

## **BILL ANALYSIS**

H.B. 1529  
By: Cook, Robby  
State Cultural and Recreational Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

After an interim study, the Committee on State Recreational Resources recommended that legislation be enacted with regard to the inspection authority of Texas game wardens, which would allow them to better perform their duties. Wardens are responsible for ensuring compliance with state regulations to maintain and protect wildlife and other natural resources. Currently, a warden may search hunting and fishing ice chests, bags, automobiles, etc. with consent or probable cause. Their ability to regulate activities covered by the Parks and Wildlife Code, such as enforcing bag limits, possession limits and size limits would be enhanced by this legislation.

Texas game wardens are required to have a Bachelors degree from an accredited institution with relevant coursework in resource conservation and management. As peace officers, they are required to respond to penal code violations. These individuals are both trained and knowledgeable of search and seizure authority. While greater than three quarters of hunters and landowners have agreed that game wardens are effective in controlling illegal activities in Texas, game wardens should be given the authority to inspect what is necessary to protect natural resources in Texas.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

House Bill 1529 amends the Parks and Wildlife Code to allow for the inspection of: devices used to hunt or catch wildlife; licenses, permits or tags that the person hunting or catching wildlife is required to have; any wildlife in the person's possession; and the contents of containers that could be used to conceal wildlife, by game wardens when there is reasonable belief that a person has been engaged in an activity regulated by this code, with the exception of a person's residence or on a public roadway. This bill provides a penalty for a person who refuses to allow a game warden to conduct this search.

### **EFFECTIVE DATE**

September 1, 2003