

BILL ANALYSIS

C.S.S.B. 236

By: Fraser

State Cultural and Recreational Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The current law does not allow landowners to hunt depredating animals, such as feral hogs, or to protect their land from such animals without first purchasing a hunting license from the State of Texas. Feral hogs have been destroying farmland across the State by causing physical damage to crops and by creating large divots in the land, which in turn depletes the monetary value of the property. C.S.S.B. 236 will allow landowners, landowners' agents and residents who lease land to take feral hogs that are damaging the property.

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

C.S.S.B. 236 amends the heading to Section 42.002, Parks and Wildlife Code, by adding "EXEMPTION."

C.S.S.B. 236 amends the Parks and Wildlife Code by adding as an exception that a resident and non resident landowner or landowner's agent or lessee may take feral hogs causing depredation on the landowner's land without having acquired a hunting license.

C.S.S.B. 236 amends the Parks and Wildlife Code by providing that nothing prevents a landowner or landowner's agent or lessee from taking feral hogs causing depredation on the landowner's land without having acquired a permit under the provisions of this bill.

EFFECTIVE DATE

This Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

SECTION 1 of the original bill was changed in the substitute by amending the heading of Section 42.002, Parks and Wildlife Code.

SECTION 2 of the substitute differs from the original by excluding the terms "authorized employee" and "member of a landowner's household." The substitute keeps the term "landowner's agent" and adds "lessee." The substitute also removes coyote from the bill. The substitute differs from the original by allowing a landowner or the landowner's agent to "take" feral hogs causing depredation to the landowners property without having acquired a hunting license.

SECTION 3 of the substitute provides an exception, not included in the original, for a nonresident landowner or the landowner's agent to take feral hogs causing depredation on the nonresident landowner's

land without having acquired a hunting license.

SECTION 4 of the substitute provides clarification, not included in the original, that a permit is not required to “take” a feral hog causing depredation.