

By: Keel

H.B. No. 1427

Substitute the following for H.B. No. 1427:

By: Geren

C.S.H.B. No. 1427

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to authorizing political subdivisions to trap and  
3 transport or transplant deer.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter E, Parks and Wildlife Code, is  
6 amended by adding Section 43.0612 to read as follows:

7 Sec. 43.0612. WHITE-TAILED DEER REMOVAL BY POLITICAL  
8 SUBDIVISION; PERMIT REQUIRED. (a) The department may issue to a  
9 political subdivision a white-tailed deer removal permit for the  
10 trapping and transporting or transplanting of white-tailed deer  
11 found within the boundaries of the political subdivision if the  
12 political subdivision shows to the department's satisfaction that  
13 an overpopulation of white-tailed deer exists within the political  
14 subdivision.

15 (b) Not later than the 15th day after the date the  
16 department receives a request for the issuance of a permit under  
17 Subsection (a), the department shall issue a permit to a requesting  
18 political subdivision or notify a requesting political subdivision  
19 that the department will not issue the requested permit. If the  
20 department issues a permit to a requesting political subdivision,  
21 the permit shall contain specific instructions detailing the  
22 location to which the trapped white-tailed deer are to be  
23 transported or transplanted.

24 (c) A political subdivision removing white-tailed deer

1 under this section must make reasonable efforts to ensure:

2 (1) safe and humane handling of trapped white-tailed  
3 deer; and

4 (2) minimization of human health and safety hazards in  
5 every phase of the trapping and transporting or transplanting of  
6 white-tailed deer.

7 (d) A permit issued under this section may authorize a  
8 political subdivision to trap and transport or transplant  
9 white-tailed deer only between October 1 of a year and March 31 of  
10 the following year, unless white-tailed deer found in a political  
11 subdivision pose a threat to human health or safety, in which case a  
12 permit may authorize a political subdivision to trap and transport  
13 or transplant white-tailed deer at any time of the year.

14 (e) A permit issued under this section does not entitle a  
15 person to take, trap, or possess white-tailed deer on any privately  
16 owned land without the landowner's permission.

17 (f) The state is not liable for and may not incur any expense  
18 for the trapping and transporting or transplanting of white-tailed  
19 deer under a permit issued under this section.

20 (g) The department may not charge a fee for a white-tailed  
21 deer removal permit issued under this section.

22 (h) The commission shall adopt rules necessary for the  
23 implementation of this chapter, including rules relating to the  
24 application for and issuance of a permit.

25 SECTION 2. This Act takes effect September 1, 2003.