

By: Wentworth

S.B. No. 1582

A BILL TO BE ENTITLED

AN ACT

relating to authorizing political subdivisions to trap, transport,
and transplant certain white-tailed deer.

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

SECTION 1. Sections 43.061(a) and (g), Parks and Wildlife
Code, are amended to read as follows:

(a) Except as provided by Section 43.0612, no ~~no~~ person
may capture, transport, or transplant any game animal or game bird
from the wild in this state unless that person has obtained a permit
to trap, transport, and transplant from the department.

(g) The commission shall adopt rules for the content of
wildlife stocking plans, certification of wildlife trappers, and
the trapping, transporting, and transplanting of game animals and
game birds under this section ~~subchapter~~.

SECTION 2. Subchapter E, Chapter 43, Parks and Wildlife
Code, is amended by adding Section 43.0612 to read as follows:

Sec. 43.0612. POLITICAL SUBDIVISION TRAPPING,
TRANSPORTING, AND TRANSPLANTING WHITE-TAILED DEER; NO PERMIT OR
LICENSE REQUIRED. (a) A political subdivision of this state,
without obtaining a permit or license from the department and after
submitting the information required under Subsection (b), may
authorize the trapping, transporting, and transplanting of
white-tailed deer found within the boundaries of the political
subdivision.

1 (b) Not later than 30 days before the first planned
2 trapping, transporting, and transplanting of white-tailed deer
3 authorized by Subsection (a), a political subdivision of this state
4 must send to the department, by registered or certified mail,
5 information showing that:

6 (1) an overpopulation of white-tailed deer exists
7 within the political subdivision;

8 (2) the overpopulation of white-tailed deer adversely
9 affects human health or public safety;

10 (3) the white-tailed deer, after removal from the
11 political subdivision, will be transplanted into an area of
12 adaptable habitat; and

13 (4) the white-tailed deer will be subject to lawful
14 hunting after relocation.

15 (c) A political subdivision may authorize the trapping,
16 transporting, and transplanting of white-tailed deer under
17 Subsection (a) only between October 1 of each year and March 31 of
18 the following year.

19 (d) The state is not liable for and may not incur any expense
20 for the trapping, transporting, and transplanting of white-tailed
21 deer under this section.

22 (e) A political subdivision removing white-tailed deer
23 under Subsection (a) must make reasonable efforts to ensure:

24 (1) safe and humane handling of trapped animals; and

25 (2) minimization of human health and safety hazards in
26 every phase of the trapping, transporting, and transplanting of
27 white-tailed deer.

1 (f) Without a landowner's written permission, a political
2 subdivision is not entitled to take, trap, or otherwise possess
3 white-tailed deer found on privately owned land.

4 (g) Wildlife management plans and chronic wasting disease
5 testing may not be required of:

6 (1) a political subdivision trapping, transporting,
7 or transplanting white-tailed deer under this section; or

8 (2) the person, place, political subdivision of this
9 state, or other government entity receiving white-tailed deer
10 trapped, transported, or transplanted under this section.

11 SECTION 3. This Act takes effect September 1, 2003.