

1-1 By: Wentworth S.B. No. 1582
1-2 (In the Senate - Filed March 14, 2003; March 20, 2003, read
1-3 first time and referred to Committee on Natural Resources;
1-4 May 9, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; May 9, 2003, sent
1-6 to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1582 By: Lucio

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to authorizing political subdivisions and property
1-11 owners' associations to trap and transport white-tailed deer.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter E, Chapter 43, Parks and Wildlife
1-14 Code, is amended by adding Section 43.0612 to read as follows:

1-15 Sec. 43.0612. TRAPPING AND TRANSPORTING SURPLUS
1-16 WHITE-TAILED DEER; PERMIT REQUIRED. (a) In this section,
1-17 "property owners' association" has the meaning assigned by Section
1-18 202.001, Property Code.

1-19 (b) The department may issue to a political subdivision or a
1-20 property owners' association a permit authorizing the trapping and
1-21 transporting of surplus white-tailed deer found within the
1-22 boundaries of the political subdivision or the geographic area in
1-23 which property subject to the property owners' association is
1-24 located.

1-25 (c) Not later than the 30th day before the date of the first
1-26 planned trapping and transporting of white-tailed deer, a political
1-27 subdivision or a property owners' association shall file with the
1-28 department an application showing that an overpopulation of
1-29 white-tailed deer exists within the political subdivision or the
1-30 geographic area in which property subject to the property owners'
1-31 association is located.

1-32 (d) After receipt of an application, the department may
1-33 issue to the political subdivision or property owners' association
1-34 a permit specifying:

1-35 (1) the location to which trapped white-tailed deer
1-36 must be transported; and

1-37 (2) the purpose for which the trapped deer are to be
1-38 used.

1-39 (e) The department may deny a political subdivision or a
1-40 property owners' association a permit if no suitable destination
1-41 for the trapped white-tailed deer exists.

1-42 (f) A political subdivision or property owners' association
1-43 trapping and transporting white-tailed deer under this section must
1-44 make reasonable efforts to ensure:

1-45 (1) safe and humane handling of trapped white-tailed
1-46 deer; and

1-47 (2) minimization of human health and safety hazards in
1-48 every phase of the trapping and transporting of white-tailed deer.

1-49 (g) A permit issued under this section may authorize a
1-50 political subdivision or a property owners' association to trap and
1-51 transport white-tailed deer only between October 1 of a year and
1-52 March 31 of the following year, unless white-tailed deer found in
1-53 the political subdivision or in the geographic area in which
1-54 property subject to the property owners' association is located
1-55 pose a threat to human health or safety, in which case a permit may
1-56 authorize the political subdivision or property owners'
1-57 association to trap and transport white-tailed deer at any time of
1-58 the year.

1-59 (h) A permit issued under this section does not entitle a
1-60 person to take, trap, or possess white-tailed deer found on any
1-61 privately owned land without the landowner's written permission.

1-62 (i) The state is not liable for and may not incur any expense
1-63 for the trapping and transporting of white-tailed deer under a

2-1 permit issued under this section.

2-2 (j) The department may not charge a fee for a white-tailed
2-3 deer trapping and transporting permit issued under this section.

2-4 (k) The commission may adopt rules necessary for the
2-5 implementation of this chapter, including rules relating to
2-6 required notification, record-keeping, permit conditions, and the
2-7 disposition of trapped white-tailed deer.

2-8 SECTION 2. This Act takes effect September 1, 2003.

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