

Amend CSHB 2026 by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION __. Chapter 43, Parks and Wildlife Code, is amended by adding Subchapter S to read as follows:

SUBCHAPTER S. PERMIT TO CONTROL CERTAIN DEER CAUSING DEPREDAATION

Sec. 43.651. APPLICATION OF SUBCHAPTER. This subchapter applies only to depredating antlerless white-tailed deer and to the taking of those deer. For purposes of this subchapter, a deer is antlerless if the deer does not have a visible antler.

Sec. 43.652. THREAT OF DAMAGE BY DEER. A person who has evidence showing that white-tailed deer historically have caused depredation to the person's agricultural or horticultural interests and who may desire to take the deer shall give written notice of the facts concerning the historical depredation to the department.

Sec. 43.653. APPLICATION FOR PERMIT. (a) Not later than the 30th day before the first date a person described by Section 43.652 intends to plant a crop that is susceptible to damage caused by white-tailed deer, the person may file with the department an application for a permit to take depredating deer.

(b) The application must be in writing and must contain:

(1) a statement of:

(A) facts relating to the damage historically caused by the deer; and

(B) the first date the person intends to plant a crop that is susceptible to damage caused by deer; and

(2) an agreement by the applicant to comply with the provisions of this subchapter relating to the disposition of any deer taken under the permit.

(c) The application must be accompanied by:

(1) a statement signed by an employee of the office of the Texas Cooperative Extension serving the area where the applicant's property is located verifying that:

(A) the applicant's property is typically used to plant a crop that is susceptible to damage caused by depredating deer; and

(B) damage caused by depredating deer is historically a problem on the applicant's property; and

(2) a statement by the applicant that the applicant or the applicant's agent or lessee uses the applicant's property for agricultural or horticultural purposes.

Sec. 43.654. PERMIT. (a) Except as provided by Section 43.658, not later than the 30th day after the date the department receives an application that complies with Section 43.653, the department may issue a permit for the taking of antlerless white-tailed deer causing depredation without regard to the closed season, bag limit, or means and methods. If the department issues a permit under this subsection, the department shall deliver the permit immediately to the permittee.

(b) A permit is valid from the date the permittee indicates on the permit application as the first date the permittee intends to plant a crop that is susceptible to damage caused by deer through the 30th day after that date. The permit must specify:

(1) the cropland to which the permit applies; and

(2) the persons permitted to take the deer.

(c) A permit is automatically extended for the 15 days immediately following the 30-day period described by Subsection (b) if the permittee, not later than the second day before the end of the 30-day period described by Subsection (b), notifies the department or a department employee of the permittee's intention to extend the permit.

Sec. 43.655. DISPOSITION OF DEER. (a) A permittee who takes deer under the authority of the permit shall dispose of any deer carcass in a manner that preserves as safe for human consumption as much of the carcass as possible and may donate the deer carcass to a charitable institution, hospital, or needy person.

(b) The permittee shall provide documentation on a form prescribed by the department to any person who receives a deer taken under this subchapter. The documentation must accompany the deer until the deer reaches a final destination and is finally processed. For purposes of this subsection, "final destination" and "final processing" have the meanings assigned by Section

42.001.

(c) On the expiration of a permit issued under this subchapter, the permittee shall report to the department on a form prescribed by the department the total number of deer taken under the permit.

Sec. 43.656. CANCELLATION OF PERMIT. The department may cancel a permit if the permit does not accomplish its intended purposes.

Sec. 43.657. VIOLATIONS; PENALTY. (a) A permittee may not dispose of a deer taken under a permit issued under this subchapter or allow the deer to be disposed of except as allowed under Section 43.655.

(b) A permittee may not violate a term or condition of the permit.

(c) A person who violates this section commits an offense that is a Class B Parks and Wildlife Code misdemeanor.

Sec. 43.658. DENIAL OF PERMIT. The department may refuse to issue a permit under this subchapter to a person who previously has failed to submit to the department the report required by Section 43.655(c).

Sec. 43.659. PERMIT INFORMATION CONFIDENTIAL. The name of a permittee and the application for a permit and any information accompanying the application under this subchapter are confidential and not subject to disclosure under Chapter 552, Government Code.

Sec. 43.660. RULES. The commission may adopt rules as necessary to implement and enforce this subchapter.