

By: Allen of Dallas

H.B. No. 1636

A BILL TO BE ENTITLED

AN ACT

1
2 relating to residency in relation to a license or permit or certain
3 hunting and catching restrictions of the Parks and Wildlife
4 Department; providing a penalty.

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

6 SECTION 1. Subchapter A, Chapter 11, Parks and Wildlife
7 Code, is amended by adding Section 11.004 to read as follows:

8 Sec. 11.004. RULES RELATING TO RESIDENCY FOR HUNTING AND
9 OTHER PURPOSES. (a) The commission by rule may prescribe the proof
10 required to demonstrate residency in this state for the purpose of
11 obtaining a license or permit issued by the department.

12 (b) In addition to any other rules adopted under Subsection
13 (a), the commission may adopt rules relating to residency for the
14 purposes of hunting or catching any animal in this state through the
15 use of any device that remotely controls another device used to hunt
16 or catch the animal.

17 (c) A rule described by Subsection (b) may prohibit a class
18 or classes of persons from hunting or catching an animal in the
19 manner described by Subsection (b) if the rule treats a class of
20 persons in a substantially similar manner regardless of whether a
21 person in the class is a resident or nonresident. A person who
22 violates a rule adopted under Subsection (b) commits an offense
23 that is a Class A Parks and Wildlife misdemeanor, and each animal
24 the person hunts or catches in violation of the rule is a separate

1 offense.

2 SECTION 2. If H.B. No. 391, Acts of the 79th Legislature,
3 Regular Session, 2005, or other legislation substantially similar
4 to that Act becomes law, Sections 11.004(b) and (c), Parks and
5 Wildlife Code, as added by this Act, are void and do not take
6 effect.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2005.