

AN ACT

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

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

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

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

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

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

President of the Senate

Speaker of the House

I certify that H.B. No. 1636 was passed by the House on May 13, 2005, by the following vote: Yeas 137, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1636 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor