

AN ACT

relating to the seizure and disposition of property for the offense of hunting or fishing without landowner consent.

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

SECTION 1. Subchapter B, Chapter 61, Parks and Wildlife Code, is amended by adding Section 61.0221 to read as follows:

Sec. 61.0221. DISPOSITION OF SEIZED PROPERTY. (a) If a person is finally convicted of an offense under Section 61.022, the court entering judgment may order that a weapon or other personal property used in the commission of the offense be destroyed or forfeited to the department.

(b) If the department receives a forfeiture order from a court under this section, the department may:

(1) use the property in the department's normal operations;

(2) sell or transfer the property; or

(3) destroy the property.

(c) The department shall deposit money from the sale of forfeited property under this section in the game, fish, and water safety account.

(d) This section does not apply to a vehicle, aircraft, or vessel.

SECTION 2. The change in law made by this Act applies only to a conviction for an offense entered on or after the effective

1 date of this Act. A conviction for an offense entered before the
2 effective date of this Act is covered by the law in effect on the
3 date the conviction was entered, and the former law is continued in
4 effect for that purpose.

5 SECTION 3. This Act takes effect September 1, 2005.

H.B. No. 2037

President of the Senate

Speaker of the House

I certify that H.B. No. 2037 was passed by the House on April 29, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2037 was passed by the Senate on May 20, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor