

1-1 By: Allen of Dallas, Cook of Navarro H.B. No. 2037
1-2 (Senate Sponsor - Seliger)
1-3 (In the Senate - Received from the House May 2, 2005;
1-4 May 3, 2005, read first time and referred to Committee on Natural
1-5 Resources; May 18, 2005, reported favorably by the following vote:
1-6 Yeas 7, Nays 0; May 18, 2005, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the seizure and disposition of property for the offense
1-10 of hunting or fishing without landowner consent.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter B, Chapter 61, Parks and Wildlife
1-13 Code, is amended by adding Section 61.0221 to read as follows:

1-14 Sec. 61.0221. DISPOSITION OF SEIZED PROPERTY. (a) If a
1-15 person is finally convicted of an offense under Section 61.022, the
1-16 court entering judgment may order that a weapon or other personal
1-17 property used in the commission of the offense be destroyed or
1-18 forfeited to the department.

1-19 (b) If the department receives a forfeiture order from a
1-20 court under this section, the department may:

1-21 (1) use the property in the department's normal
1-22 operations;

1-23 (2) sell or transfer the property; or

1-24 (3) destroy the property.

1-25 (c) The department shall deposit money from the sale of
1-26 forfeited property under this section in the game, fish, and water
1-27 safety account.

1-28 (d) This section does not apply to a vehicle, aircraft, or
1-29 vessel.

1-30 SECTION 2. The change in law made by this Act applies only
1-31 to a conviction for an offense entered on or after the effective
1-32 date of this Act. A conviction for an offense entered before the
1-33 effective date of this Act is covered by the law in effect on the
1-34 date the conviction was entered, and the former law is continued in
1-35 effect for that purpose.

1-36 SECTION 3. This Act takes effect September 1, 2005.

1-37 * * * * *