

By: Kuempel

H.B. No. 2555

A BILL TO BE ENTITLED

AN ACT

relating to dispatching game animals and game birds.

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

SECTION 1. Chapter 61, Subchapter C, Parks and Wildlife Code, is amended by adding Section 61.060 to read as follows:

SUBCHAPTER C. REGULATORY DUTIES

Sec. 61.060. Humane Dispatch of Game Animals and Game Birds

Sec. 61.060 (a) In this section, "dispatch" means to kill by a humane method.

(b) It is a defense to prosecution for a violation of regulations adopted by proclamation of the Commission issued pursuant to Chapter 61, Parks and Wildlife Code, that the individual dispatched a game animal or game bird that:

(1) is mortally wounded, not through an act of hunting; or

(2) behaves in a manner that:

(A) is inconsistent with the manner in which game animals or game birds that are not diseased typically behave; and

(B) leads a reasonable person to believe that the game animal or game bird poses a substantial risk of serious harm to a person or wildlife.

(c) The commission may adopt rules, including disposition of game animals and game birds that have been humanely dispatched, to implement this section.

1           SECTION 2. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2005.