

## **BILL ANALYSIS**

C.S.H.B. 971  
By: King, Tracy  
Border & International Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

During the 17th Century, European expansion and intertribal conflicts led to migrations and dispersal as Kickapoo bands scattered widely throughout Indiana, Illinois, Missouri and Texas. The tribe relocated to Eagle Pass, Texas, as their primary reservation when in the United States. The Kickapoo have primarily lived by hunting, gathering, farming and migrant farm labor.

The Kickapoo religion incorporates the Texas white-tailed deer, and utilizes the meat and carcass of the deer to conduct daily traditional ceremonies. Current law prevents the Kickapoo from conducting religious and ceremonial rites, as prescribed by Kickapoo religion and tribal custom, because they are not able to hunt all year long.

C.S.H.B. 971 allows the Texas Parks and Wildlife Department to issue a year-round license to a documented member of the Kickapoo Traditional Tribe of Texas for hunting antlerless white-tailed deer.

### **RULEMAKING AUTHORITY**

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 971 amends the Parks and Wildlife Code to include a member of the Kickapoo Traditional Tribe of Texas who possesses documentation of membership issued by the Bureau of Indian Affairs as part of the definition of a resident. The bill authorizes a documented member of the Kickapoo Traditional Tribe of Texas who holds a license under Section 42.002 to hunt antlerless white-tailed deer for religious ceremonial purposes on any day of the year between one-half hour before sunrise and one-half hour after sunset. Requires a documented member of the Kickapoo Traditional Tribe of Texas hunting antlerless white-tailed deer under this section to perform certain actions. The bill makes conforming changes.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.H.B. 971 modifies the original by clarifying the time of year during which a person may not hunt antlerless white-tailed deer to be an otherwise closed season under the game laws of this state. The substitute also differs from the original by requiring a documented member of the Kickapoo Traditional Tribe of Texas hunting antlerless white-tailed deer under this Act to also obtain explicit permission from the landowner before hunting antlerless white-tailed deer during an otherwise closed season under the game laws of this state on that landowner's privately owned property.