

BILL ANALYSIS

C.S.H.B. 3845
By: Hilderbran
Culture, Recreation, & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently there are specific regulations pertaining to possession and transportation of dangerous wild animals in Texas. However, these regulations make it difficult for a person to practice predator control. Subject to local city and county regulations, as well as those established by agencies such as the Department of Health, C.S.H.B. 3845 removes cougars, bobcats, or coyotes from Section 822.102(a) of the Health and Safety Code to allow a person practicing predator or depredation control of cougars, bobcats, or coyotes to be able to trap or capture the animal, transfer it to another person permitted to receive the animal, or specialize in lure production or dog training as the activities relate to predator or depredation control.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 822.102(a) of the Health and Safety Code by removing the language stating that the subchapter does not apply to a dangerous wild animal that is in a county west of the Pecos River that has a population of less than 25,000. C.S.H.B. 3845 includes the specifications that the subchapter does not apply to a cougar, bobcat, or coyote in the possession, custody, or control of a person who, as part of a predator or depredation control activity, has trapped or captured the animal, transfers the animal to a person permitted to receive the animal under this section, or a person who specializes in lure production or dog training as those activities relate to a predator or depredation control activity. C.S.H.B. 3845 also specifies that the subchapter does not apply to an injured, infirm, orphaned, or abandoned dangerous wild animal while temporarily being transported for care or treatment, or while being rehabilitated, treated, or cared for by a licensed veterinarian or a person who holds a rehabilitation permit issued under the Parks and Wildlife Code for the specific animal species involved.

SECTION 2. Effective date.

EFFECTIVE DATE

This act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 3845 includes a specification regarding an injured, infirm, orphaned, or abandoned dangerous wild animal to allow it to be "temporarily" transported for care or treatment. The substitute also adds "for the specific animal species involved" to the exemption for wild animals being rehabilitated, treated, or cared for.