

By: Hilderbran

H.B. No. 1309

A BILL TO BE ENTITLED

AN ACT

relating to the possession or transportation of certain snakes that are not indigenous to this country; providing a penalty.

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

SECTION 1. Chapter 43, Parks and Wildlife Code, is amended by adding Subchapter V to read as follows:

SUBCHAPTER V. NONINDIGENOUS SNAKE PERMIT

Sec. 43.851. PERMIT. (a) The commission by rule shall establish a permit that allows a permit holder to possess or transport in this state a live venomous snake or live constrictor that is not indigenous to this country.

(b) A permit under this subchapter is not required for:

(1) a state or county official performing an official duty;

(2) a licensed circus, carnival, menagerie, or zoo that possesses or transports a snake for exhibition or scientific purposes; or

(3) a research facility licensed under the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) that possesses or transports a snake for scientific purposes.

(c) Except as provided by Subsection (b), a person may not possess or transport in this state a snake described by Subsection (a) without a permit issued by the department under this subchapter.

1       Sec. 43.852. FEE FOR PERMIT. The commission shall set a fee  
2 for a permit issued under this subchapter.

3       Sec. 43.853. OFFENSE. A person who violates this  
4 subchapter commits an offense that is a Class B Parks and Wildlife  
5 Code misdemeanor.

6       SECTION 2. (a) The Parks and Wildlife Commission shall  
7 adopt the rules necessary under Subchapter V, Chapter 43, Parks and  
8 Wildlife Code, as added by this Act, not later than January 1, 2008.

9       (b) The Parks and Wildlife Department shall begin issuing  
10 permits under Subchapter V, Chapter 43, Parks and Wildlife Code, as  
11 added by this Act, not later than January 1, 2008.

12       SECTION 3. (a) Except as provided by Subsection (b) of this  
13 section, this Act takes effect September 1, 2007.

14       (b) Sections 43.851(c) and 43.853, Parks and Wildlife Code,  
15 as added by this Act, take effect January 1, 2008.