

BILL ANALYSIS

C.S.H.B. 3977
By: Hunter
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The permit for trapping and transporting surplus white-tailed deer helps to reduce deer population in areas where white-tailed deer are overpopulated. Through the permit, political subdivisions and property owners' associations in areas with surplus white-tailed deer are authorized to capture surplus deer, process the carcasses, and donate the venison to penal facilities or charitable organizations for human consumption.

Currently, permits are issued only to political subdivisions or property owners' associations. An individual landowner may use a permit, but only if the political subdivision that encompasses the tract within which the individual's property is located applies on the individual's behalf.

C.S.H.B. 3977 authorizes the Parks and Wildlife Department to issue to a qualified individual a permit authorizing the trapping and transporting of surplus white-tailed deer found on the property owned by the individual. The bill authorizes the Parks and Wildlife Commission by rule to set a fee for such a permit and requires the commission to adopt rules to determine the circumstances that warrant the issuance of such a permit.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Parks and Wildlife Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 3977 amends the Parks and Wildlife Code to authorize the Parks and Wildlife Department to issue to an individual who has a wildlife management plan approved by the department a permit authorizing the qualified individual to trap and transport surplus white-tailed deer found on the property owned by the qualified individual. The bill makes the permit provisions that are applicable to a similarly permitted political subdivision or property owners' association also applicable to such a qualified individual and makes a conforming change. The bill authorizes the Parks and Wildlife Commission by rule to set and the department to charge a fee for such a permit not to exceed \$300, rather than prohibiting the department from charging a fee for the permit. The bill requires the commission to adopt rules for determining the circumstances under which a qualified individual, political subdivision, or property owners' association is authorized to obtain such a permit. The bill defines "qualified individual."

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3977 differs from the original by authorizing the Parks and Wildlife Department to issue a permit to an individual who has a wildlife management plan approved by the department,

whereas the original authorizes the department to issue such a permit to any individual. The substitute adds a provision not in the original defining "qualified individual" and makes conforming changes in other provisions.

C.S.H.B. 3977 adds a provision not in the original authorizing the Parks and Wildlife Commission by rule to set and the department to charge a fee for such a permit not to exceed \$300 and a provision requiring the commission to adopt rules for determining the circumstances under which a qualified individual, political subdivision, or property owners' association is authorized to obtain such a permit.