

## **BILL ANALYSIS**

H.B. 4284  
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Agriculture & Livestock  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, while there are state laws that address the illegal possession, trapping, hunting, moving, selling, purchasing, and breeding of white-tailed and mule deer, the penalties for such actions are misdemeanors. If evidence of importation of such deer across state lines is found, the Texas Parks and Wildlife Department can utilize the federal Lacey Act that prohibits the importation or selling of illegally captured or prohibited animals, whether in interstate or foreign commerce, and carries with it a felony violation. However, the current state misdemeanor penalties for illegally capturing white-tailed or mule deer have not been a sufficient deterrent to stop such activities.

H.B. 4284 enhances the penalty for illegally capturing, transporting, or transplanting a white-tailed deer or mule deer, to make such activity a state jail felony.

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

H.B. 4284 amends the Parks and Wildlife Code to increase the penalty for the intentional capture, transport, or transplant of a white-tailed or mule deer, without obtaining the required permit, or for the intentional violation of one or more permit terms, from a Class B Parks and Wildlife Code misdemeanor to a Parks and Wildlife Code state jail felony.

### **EFFECTIVE DATE**

September 1, 2009.