

## **BILL ANALYSIS**

Senate Research Center  
81R8167 SLB-D

S.B. 1583  
By: Harris  
Agriculture & Rural Affairs  
3/27/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, permits to trap, transport, and process surplus white-tailed deer can be issued only to political subdivisions or property owners' associations (POA) as defined by Section 202.001 (Definitions), Property Code. Individual tracts (e.g., industrial facilities, or ranches) may use this permit, but only if the political subdivision that encompasses the individual tract applies on their behalf. This permit was originally requested to assist political subdivisions and POAs to deal with deer overpopulation, and the statute was specifically crafted to address that need. Since then, the process has been shown to be of considerable benefit, and individual landowners would like to have the same access to the process for the same reason: the program benefits animal welfare and habitat pressure by population reduction. In addition, the program benefits designated food programs and Texas Parks and Wildlife Department (TPWD)-approved charitable organizations. Landowners also feel that having to secure permit permission from an authority other than TPWD is unnecessary, burdensome, and time-consuming when TPWD is the knowledgeable agency in the field and can best determine when such action benefits animal welfare and habitat pressure by population reduction and processes at any time of the year.

As proposed, S.B. 1583 authorizes TPWD to directly issue permits to individual and landowners for the purpose of trapping, transporting, and processing surplus white-tailed deer.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 43.0612(b)-(h), Parks and Wildlife Code, as follows:

(b) Authorizes the Texas Parks and Wildlife Department to issue to an individual, a political subdivision, or a property owner's association (POA) a permit authorizing the trapping and transporting of surplus white-tailed deer found on, rather within within, the property owned by the individual or within the boundaries of the property subject to the POA is located.

(c)-(g) Makes conforming changes.

(h) Provides that a permit under this section does not entitle a person to take, trap, or possess white-tailed deer found on any privately owned land without the landowner's written permission, unless the permit holder is the landowner.

SECTION 2. Effective date: September 1, 2009.