

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1583
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Agriculture & Rural Affairs
4/17/2009
Committee Report (Substituted)

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.

C.S.S.B. 1583 amends current law relating to the trapping and transport of surplus white-tailed deer.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Parks and Wildlife Commission in SECTION 1 (Section 43.0612, Parks and Wildlife Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 43.0612, Parks and Wildlife Code, as follows:

Sec. 43.0612. TRAPPING AND TRANSPORTING SURPLUS WHITE-TAILED DEER; PERMIT REQUIRED. (a) Defines "property owners' association" and "qualified individual."

(b) Authorizes the Texas Parks and Wildlife Department (TPWD) to issue to qualified 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 qualified 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.

(i) Makes no changes to this subsection.

(j) Authorizes the Parks and Wildlife Commission (commission) by rule to set and TPWD to charge a fee not to exceed \$300 for a white-tailed deer trapping and transporting permit issued under this section.

(k) 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 a permit issued under this section.

SECTION 2. Effective date: September 1, 2009.