

By: Hunter

H.B. No. 3977

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the trapping and transport of surplus white-tailed
3 deer.

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

5 SECTION 1. Sections 43.0612(b), (c), (d), (e), (f), (g),
6 and (h), Parks and Wildlife Code, are amended to read as follows:

7 (b) The department may issue to an individual, a political
8 subdivision, or a property owners' association a permit authorizing
9 the trapping and transporting of surplus white-tailed deer found on
10 ~~[within]~~ the property owned by the individual or within the
11 boundaries of the political subdivision or the geographic area in
12 which property subject to the property owners' association is
13 located.

14 (c) Not later than the 30th day before the date of the first
15 planned trapping and transporting of white-tailed deer, an
16 individual, a political subdivision, or a property owners'
17 association shall file with the department an application showing
18 that an overpopulation of white-tailed deer exists on ~~[within]~~ the
19 property owned by the individual or within the boundaries of the
20 political subdivision or the geographic area in which property
21 subject to the property owners' association is located. If the
22 department issues a permit to a requesting individual, political
23 subdivision, or property owners' association, the permit shall
24 contain specific instructions detailing the location to which the

1 trapped white-tailed deer are to be transported or transplanted.

2 (d) After receipt of an application, the department may
3 issue to the individual, political subdivision, or property owners'
4 association a permit specifying:

5 (1) the location to which trapped white-tailed deer
6 must be transported; and

7 (2) the purpose for which the trapped deer are to be
8 used.

9 (e) The department may deny an individual, a political
10 subdivision, or a property owners' association a permit if no
11 suitable destination for the trapped white-tailed deer exists.

12 (f) An individual, a [A] political subdivision, or a
13 property owners' association trapping and transporting
14 white-tailed deer under this section must make reasonable efforts
15 to ensure:

16 (1) safe and humane handling of trapped white-tailed
17 deer; and

18 (2) minimization of human health and safety hazards in
19 every phase of the trapping and transporting of white-tailed deer.

20 (g) A permit issued under this section may authorize an
21 individual, a political subdivision, or a property owners'
22 association to trap and transport white-tailed deer only between
23 October 1 of a year and March 31 of the following year, unless
24 white-tailed deer found on the property owned by the individual or
25 within the boundaries of [~~in~~] the political subdivision or [~~in~~] the
26 geographic area in which property subject to the property owners'
27 association is located pose a threat to human health or safety, in

1 which case the provision of Subsection (e) does not apply and a
2 permit may authorize the individual, political subdivision, or
3 property owners' association to trap and transport white-tailed
4 deer at any time of the year.

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

9 SECTION 2. This Act takes effect September 1, 2009.