

By: Hegar

S.B. No. 1121

A BILL TO BE ENTITLED

AN ACT

relating to the retrieval and waste of game birds, game animals,
fish, and oysters; providing a penalty.

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

SECTION 1. Section 62.011, Parks and Wildlife Code, is
amended by amending Subsections (b) and (c) and adding Subsection
(d) to read as follows:

(b) Except as provided by Subsection (c), it is an offense
if a person intentionally takes or possesses a game bird, game
animal, oyster, or ~~[a]~~ fish and intentionally, knowingly, ~~[ex]~~
recklessly, or with criminal negligence, fails to keep the edible
portions of the bird, animal, oyster, or fish in an edible
condition.

(c) It is an offense if a person while hunting kills or
wounds a desert bighorn sheep, pronghorn antelope, mule deer, or
white-tailed deer in violation of Section 61.022, 62.003, 62.0031,
62.004, or 62.005 and intentionally or knowingly fails to make a
reasonable effort to retrieve the animal or intentionally,
knowingly, ~~[ex]~~ recklessly, or with criminal negligence fails to
keep the edible parts of the animal in an edible condition.

(d) In this section, "edible" means fit for human
consumption. The term does not include any portion of a game bird,
game animal, oyster, or fish that is:

(1) bruised by bullet, shot, or arrow, or otherwise

destroyed as a result of harvest;

(2) decayed or rotting; or

(3) obviously infected or diseased.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2009.