

By: Uresti

S.B. No. 1262

A BILL TO BE ENTITLED

AN ACT

relating to a documented member of the Kickapoo Traditional Tribe of Texas hunting certain deer.

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

SECTION 1. Section 42.001(1), Parks and Wildlife Code, is amended to read as follows:

(1) "Resident" means:

(A) an individual who has resided continuously in this state for more than six months immediately before applying for a hunting license;

(B) a member of the United States armed forces on active duty;

(C) a dependent of a member of the United States armed forces on active duty; ~~[or]~~

(D) a member of any other category of individuals that the commission by regulation designates as residents; or

(E) a member of the Kickapoo Traditional Tribe of Texas who possesses documentation of membership sanctioned by the Bureau of Indian Affairs.

SECTION 2. Section 61.021, Parks and Wildlife Code, is amended to read as follows:

Sec. 61.021. TAKING WILDLIFE RESOURCES PROHIBITED. (a) Except as provided by Subsection (b) or permitted under a proclamation issued by the commission under this chapter, no person

1 may hunt, catch, or possess a game bird or game animal, fish, marine  
2 animal, or other aquatic life at any time or in any place covered by  
3 this chapter.

4 (b) A documented member of the Kickapoo Traditional Tribe of  
5 Texas who holds a license under Section 42.002 may hunt antlerless  
6 white-tailed deer for religious ceremonial purposes on any day of  
7 the year between one-half hour before sunrise and one-half hour  
8 after sunset. A documented member of the Kickapoo Traditional  
9 Tribe of Texas hunting antlerless white-tailed deer under this  
10 subsection shall:

11 (1) comply with all other provisions of this code and  
12 proclamations adopted under this code;

13 (2) notify a local game warden, deputy game warden, or  
14 special game warden at least 24 hours before hunting antlerless  
15 white-tailed deer during an otherwise closed season under the game  
16 laws of this state; and

17 (3) obtain explicit permission from the landowner  
18 before hunting antlerless white-tailed deer during an otherwise  
19 closed season under the game laws of this state on that landowner's  
20 privately owned property.

21 SECTION 3. Section 61.057(a), Parks and Wildlife Code, is  
22 amended to read as follows:

23 (a) Except as provided by Section 61.021 and ~~[in]~~ Subsection  
24 (c) ~~[of this section]~~, no person may hunt an antlerless deer or  
25 antelope in this state without first having acquired an antlerless  
26 deer or antelope permit issued by the department on a form provided  
27 by the department.

1           SECTION 4. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2009.