

BILL ANALYSIS

C.S.H.B. 535
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Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, native deer meat cannot be sold in Texas, though certain nonnative game such as axis deer may be bred and sold as venison, and a restaurant that offers wild game on its menu cannot purchase white-tail deer meat from Texas. In addition, a deer breeder in Texas, when eliminating white-tail deer that are not needed for propagation, cannot sell those deer as venison. C.S.H.B. 535 seeks to allow a deer breeder to transfer and sell for processing as venison certain breeder deer.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Parks and Wildlife Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 535 amends the Parks and Wildlife Code to authorize the holder of a valid deer breeder's permit to transfer and sell live breeder deer not needed for propagation for the purpose of processing and sale as venison. The bill authorizes the Parks and Wildlife Commission to make regulations governing the procedures for the identification, transfer, and sale of live breeder deer not needed for propagation for the purpose of such processing and sale as venison. The bill authorizes live breeder deer not needed for propagation to be transferred, processed, and sold as venison only in accordance with the bill's provisions and either the Texas Meat and Poultry Inspection Act or federal law as authorized by the federal Agricultural Marketing Act of 1946.

C.S.H.B. 535 amends the Health and Safety Code to include a breeder deer that the Parks and Wildlife Department has identified for the purpose of processing and sale as venison in the definition of "exotic animal" for purposes of the Texas Meat and Poultry Inspection Act.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 535 differs from the original by authorizing the holder of a valid deer breeder's permit to transfer and sell live breeder deer not needed for propagation for the purpose of processing and sale as venison, whereas the original authorizes such a license holder to process and sell as venison or sell for processing and sale as venison any breeder deer not needed for propagation.

C.S.H.B. 535 omits a provision contained in the original exempting a deer not needed for propagation that is sold for processing as venison from provisions of law prohibiting a person from purchasing, obtaining, selling, transferring, or accepting in Texas a live breeder deer without a transfer permit issued by the Parks and Wildlife Department.

C.S.H.B. 535 contains a provision not included in the original requiring the transfer, processing, and sale of live breeder deer not needed for propagation to be only in accordance with the bill's provisions and either the Texas Meat and Poultry Inspection Act or certain federal law as authorized by the federal Agricultural Marketing Act of 1946.

C.S.H.B. 535 contains a provision not included in the original redefining "exotic animal" for purposes of the Texas Meat and Poultry Inspection Act. The substitute differs from the original in conforming ways.