

## **BILL ANALYSIS**

C.S.H.B. 1025  
By: Phillips  
Culture, Recreation & Tourism  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, a permit to trap and transport surplus white-tailed deer may be issued by the Parks and Wildlife Department (TPWD) only to a political subdivision or a property owners' association. An individual landowner, which may include an owner of a ranch or an industrial facility, may use such a permit only if the political subdivision that encompasses the landowner's property applies for the permit on the landowner's behalf. The permit originally was created to assist political subdivisions and property owners' associations with deer overpopulation, and the statute was crafted specifically to address that need. Since then, the permit has proven to be of considerable benefit, and individual landowners would like to have access to such permits to reduce deer populations without having to secure permission from an authority other than TPWD.

C.S.H.B. 1025 adds a qualified individual, as defined by the bill, to the list of parties to whom TPWD may issue a permit authorizing the trapping and transporting of surplus white-tailed deer found on the property owned by the individual.

### **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. 1025 amends the Parks and Wildlife Code to include a qualified individual as a party to whom the Parks and Wildlife Department (TPWD) may issue a permit authorizing the trapping and transporting of surplus white-tailed deer. The bill defines "qualified individual" as an individual who has a wildlife management plan approved by TPWD. The bill requires the permit to be issued to a qualified individual only for surplus white-tailed deer found on the property owned by the individual and extends to a qualified individual the application of other provisions relating to such permits.

C.S.H.B. 1025 removes the blanket prohibition against TPWD charging a fee for a white-tailed deer trapping and transporting permit and authorizes the Parks and Wildlife Commission by rule to set and TPWD to charge a fee not to exceed \$300 for such a permit. The bill prohibits TPWD from charging a fee for a permit issued to a political subdivision or property owners' association if the deer pose a threat to human health or safety. The bill requires the commission to adopt rules for determining the circumstances under which a qualified individual, political subdivision, or property owners' association may obtain a permit issued under the bill's provisions. The bill makes conforming changes.

### **EFFECTIVE DATE**

September 1, 2011.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1025 contains a provision not included in the original prohibiting the Parks and Wildlife Department from charging a fee for a white-tailed deer trapping and transporting permit issued to a political subdivision or property owners' association if the deer in question pose a threat to human health or safety.