

## **BILL ANALYSIS**

S.B. 498  
By: Jackson  
Culture, Recreation & Tourism  
Committee Report (Unamended)

### **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 population without having to secure permission from an authority other than TPWD.

S.B. 498 includes a qualified individual, as defined by the bill, among the 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**

S.B. 498 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 and to specify that the permit issued to a qualified individual applies to surplus white-tailed deer found on the property owned by the qualified individual. The bill defines "qualified individual" as an individual who has a wildlife management plan approved by TPWD. The bill expands the applicability of provisions of law relating to such a permit to include a qualified individual.

S.B. 498 removes the 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 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 by TPWD authorizing the trapping and transporting of surplus white-tailed deer. The bill makes conforming changes.

### **EFFECTIVE DATE**

September 1, 2011.