

BILL ANALYSIS

S.B. 499
By: Jackson
Culture, Recreation & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Proper identification of breeder deer is necessary for keeping the deer herds in Texas healthy and the deer industry profitable. Lost ear tags, lack of tattooing, or tattoo distortion can make such identification very difficult. S.B. 499 seeks to address this issue by providing for proper identification of breeder deer by establishing provisions relating to deer breeder operations and the use of microchip implants for breeder deer identification.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Parks and Wildlife Commission in SECTION 3 of this bill.

ANALYSIS

S.B. 499 amends the Parks and Wildlife Code to require the identification of a breeder deer held in a permitted deer breeding facility, not later than March 31 of the year following the year in which the breeder deer is born, by affixing to the deer an external durable identification tag that is reasonably visible; implanting a durable identification tag that is a microchip; or affixing or implanting, as appropriate, any other durable identification tag that is approved by the Parks and Wildlife Department (TPWD). The bill removes a provision specifying that breeder deer be identified by placing on each breeder deer possessed by the deer breeder a single, reasonably visible, durable identification tag bearing an alphanumeric number of not more than four characters assigned by the department to the breeding facility in which the breeder deer was born and unique to that breeder deer.

S.B. 499 redefines "durable identification tag" to include as a requirement for such a tag that it bear an alphanumeric identifier approved by the TPWD that is unique to the breeder deer to which it is attached or implanted and to specify that the term includes a department-approved external tag, microchip implant, or other identification device that meets the requirements of the definition. The bill removes the provision specifying that the term includes, but is not limited to, newly developed technologies, including radio frequency identification tags. The bill includes the use of durable identification tags for identifying breeder deer among the activities the Parks and Wildlife Commission is authorized to govern by regulation. The bill makes conforming changes.

S.B. 499 creates an exception to prohibitions against removing or knowingly permitting the removal of a breeder deer held in a facility by the holder of a deer breeder permit or knowingly accepting or permitting the acceptance of a breeder deer into a permitted facility for a breeder deer that has been permanently and legibly tattooed in one ear with the unique alphanumeric identifier approved by the TPWD, rather than an exception for such a tattoo with the unique identification number assigned to the breeder in lawful possession of the breeder deer and specific to the breeding facility in which the breeder deer was born or initially introduced if from an out-of-state source. The bill authorizes a deer breeder, instead of using a tattoo to identify a breeder deer, to identify a deer by using a using a department-approved microchip implanted

under the deer's skin or other department-approved identification device.

EFFECTIVE DATE

September 1, 2011.