

By: Guillen

H.B. No. 3779

A BILL TO BE ENTITLED

AN ACT

relating to licensing of deer breeder operations; providing penalties.

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

SECTION 1. Chapter 12, Parks and Wildlife Code, is amended by adding Section 12.5012 to read as follows:

Sec. 12.5012. REVOCATION, SUSPENSION, OR REFUSAL OF PERMIT RELATED TO THE CONTROL. BREEDING OR MANAGEMENT OF DEER. (a) In this subchapter "Permittee" has the meaning assigned by Section 12.501(a).

(b) The director may suspend or revoke any permit related to the control, breeding, or management of deer in this state, or may refuse an application to renew a permit related to the control, breeding, or management of deer in this state, after a determination that a violation of trapping wild deer in Texas or of illegally importing whitetail or other deer from another state is made, or that the applicant or permittee has been convicted of an egregious violation involving other wildlife laws.

Sec. 12.5013. APPEAL FROM REVOCATION, SUSPENSION, OR REFUSAL OF PERMIT. (a) Venue for an appeal from an order of the department refusing to renew a permit or revoking or suspending a permit to which this subchapter applies is a district court in:

(1) the county where the permitted facility, if applicable, is located; or

1 (2) the county where the permittee resides.

2 (b) The appeal shall be by trial de novo.

3 SECTION 2. Chapter 43, Parks and Wildlife Code, is amended
4 to read as follows:

5 Sec. 43.352. PERMIT AUTHORIZED; DURATION OF PERMIT. (a)
6 The Commission shall establish a training program and require that
7 applicants for any permit related to the control, breeding, or
8 management of deer in this state pass a test to qualify for such a
9 permit.

10 ~~(a)~~ (b) The department shall issue a permit to a qualified
11 person to possess live breeder deer in captivity.

12 ~~(b)~~ (c) The department may issue a permit under this section
13 that is valid for longer than one year.

14 SECTION 3. The changes in law made by this Act apply to all
15 inspections, investigations or actions that take place on or after
16 the effective date of this Act. An inspection, investigation or
17 action taken before the effective date of this Act is governed by
18 the law as it existed immediately before the effective date of this
19 Act, and that law is continued in effect for that purpose.