

By: Jackson

S.B. No. 499

A BILL TO BE ENTITLED

AN ACT

relating to the identification of breeder deer by microchips.

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

SECTION 1. Section 43.351(5), Parks and Wildlife Code, is amended to read as follows:

(5) "Durable identification tag" means a single tag not easily dislodged or removed and made of a material that is not likely to disintegrate or decompose. The term includes~~[, but is not limited to,]~~ newly developed technologies, including a microchip implant and other radio frequency identification tags.

SECTION 2. Section 43.3561, Parks and Wildlife Code, is amended to read as follows:

Sec. 43.3561. IDENTIFICATION OF BREEDER DEER. (a) Not later than March 31 of the year following the year in which the breeder deer is born, a breeder deer held in a permitted deer breeding facility must 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. A deer breeder is not required to remove the tag for any purpose but may remove the tag and replace the tag immediately to meet the requirements of this section.

(b) Except as provided by Subsection (d), a [A] person may

1 not remove or knowingly permit the removal of a breeder deer held in  
2 a facility by a permittee under this subchapter unless the breeder  
3 deer has been permanently and legibly tattooed in one ear with the  
4 unique identification number assigned to the breeder in lawful  
5 possession of the breeder deer and specific to the breeding  
6 facility in which the breeder deer was born or initially introduced  
7 if from an out-of-state source.

8 (c) Except as provided by Subsection (d), a [A] person may  
9 not knowingly accept or permit the acceptance of a breeder deer into  
10 a facility regulated under this subchapter unless the breeder deer  
11 has been permanently and legibly tattooed in one ear with the unique  
12 identification number assigned to the breeder in lawful possession  
13 of the breeder deer and specific to the facility in which the  
14 breeder deer was born or initially introduced if from an  
15 out-of-state source.

16 (d) Instead of using a tattoo to identify a breeder deer  
17 under Subsection (b) or (c), a deer breeder may identify a deer by  
18 using a durable identification tag that is a microchip implanted  
19 under the deer's skin.

20 (e) The commission may adopt rules governing the use of  
21 durable identification tags for identifying breeder deer under this  
22 section.

23 SECTION 3. This Act takes effect September 1, 2011.