

1-1 By: Jackson S.B. No. 499
1-2 (In the Senate - Filed February 1, 2011; February 14, 2011,
1-3 read first time and referred to Committee on Agriculture and Rural
1-4 Affairs; March 30, 2011, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 3, Nays 0;
1-6 March 30, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 499 By: Jackson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the identification of breeder deer by microchips.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Subdivision (5), Section 43.351, Parks and
1-13 Wildlife Code, is amended to read as follows:
1-14 (5) "Durable identification tag" means a single tag
1-15 that is not easily dislodged or removed, is [and] made of a material
1-16 that is not likely to disintegrate or decompose, and bears an
1-17 alphanumeric identifier approved by the department that is unique
1-18 to the breeder deer to which it is attached or implanted. The term
1-19 includes a department-approved external tag, microchip implant, or
1-20 other identification device that meets the requirements of this
1-21 definition. [The term includes, but is not limited to, newly
1-22 developed technologies, including radio frequency identification
1-23 tags.]
1-24 SECTION 2. Section 43.3561, Parks and Wildlife Code, is
1-25 amended to read as follows:
1-26 Sec. 43.3561. IDENTIFICATION OF BREEDER DEER. (a) Not
1-27 later than March 31 of the year following the year in which a [the]
1-28 breeder deer is born, the [a] breeder deer held in a permitted deer
1-29 breeding facility must be identified by:
1-30 (1) affixing to the deer an external durable
1-31 identification tag that is reasonably visible;
1-32 (2) implanting a durable identification tag that is a
1-33 microchip; or
1-34 (3) affixing or implanting, as appropriate, any other
1-35 department-approved durable identification tag [placing on each
1-36 breeder deer possessed by the deer breeder a single, reasonably
1-37 visible, durable identification tag bearing an alphanumeric number
1-38 of not more than four characters assigned by the department to the
1-39 breeding facility in which the breeder deer was born and unique to
1-40 that breeder deer].
1-41 (b) A deer breeder is not required to remove the durable
1-42 identification tag for any purpose but may remove the tag and
1-43 replace the tag immediately to meet the requirements of this
1-44 section.
1-45 (c) Except as provided by Subsection (e), a [(b)—A] person
1-46 may not remove or knowingly permit the removal of a breeder deer
1-47 held in a facility by a permittee under this subchapter unless the
1-48 breeder deer has been permanently and legibly tattooed in one ear
1-49 with the unique alphanumeric identifier approved by the department
1-50 [identification number assigned to the breeder in lawful possession
1-51 of the breeder deer and specific to the breeding facility in which
1-52 the breeder deer was born or initially introduced if from an
1-53 out-of-state source].
1-54 (d) Except as provided by Subsection (e), a [(c)—A] person
1-55 may not knowingly accept or permit the acceptance of a breeder deer
1-56 into a facility regulated under this subchapter unless the breeder
1-57 deer has been permanently and legibly tattooed in one ear with the
1-58 unique alphanumeric identifier approved by the department
1-59 [identification number assigned to the breeder in lawful possession
1-60 of the breeder deer and specific to the facility in which the
1-61 breeder deer was born or initially introduced if from an
1-62 out-of-state source].
1-63 (e) Instead of using a tattoo to identify a breeder deer

2-1 under Subsection (c) or (d), a deer breeder may identify a deer by
2-2 using a department-approved microchip implanted under the deer's
2-3 skin or other department-approved identification device.

2-4 SECTION 3. Subsection (b), Section 43.357, Parks and
2-5 Wildlife Code, is amended to read as follows:

2-6 (b) The commission may make regulations governing:

2-7 (1) the possession of breeder deer held under the
2-8 authority of this subchapter;

2-9 (2) the recapture of lawfully possessed breeder deer
2-10 that have escaped from the facility of a deer breeder;

2-11 (3) permit applications and fees;

2-12 (4) reporting requirements;

2-13 (5) procedures and requirements for the purchase,
2-14 transfer, sale, or shipment of breeder deer;

2-15 (6) the endorsement of a deer breeder facility by a
2-16 certified wildlife biologist;

2-17 (7) the number of breeder deer that a deer breeder may
2-18 possess; ~~and~~

2-19 (8) the dates for which a deer breeder permit is valid;
2-20 and

2-21 (9) the use of durable identification tags for
2-22 identifying breeder deer under this section.

2-23 SECTION 4. This Act takes effect September 1, 2011.

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