

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 29, 2011

TO: Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB3776 by Guillen (Relating to deer identification and deer breeder operations.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend portions of the Parks and Wildlife Code related to the identification of deer in a deer breeder facility. The bill would provide that if a deer breeder uses a durable identification tag that is a microchip implanted under the deer's skin, the Texas Parks and Wildlife Department (TPWD) will determine the deadline that the deer must be "chipped" following its birth. TPWD will adopt rules for Game Wardens or other personnel in checking deer to use the least disruptive method of performing the inspection required to enforce rules. The TPW Commission will adopt rules to allow a deer breeder the option of using DNA testing (at the breeder's expense) if their records are challenged or found to be insufficient during inspection, and following a TPWD written notice listing probable cause and the specific deer in question. TPWD reports that because Parks and Wildlife Code §43.2561 was not amended, and allows TPWD to require that breeder deer identification tags must be reasonably visible, implanted microchips would not be approved as a means to identify such deer. Accordingly, TPWD reports no costs to inspect deer with implanted microchips, an activity which otherwise may generate costs. Further, TPWD reports any additional costs associated with the Commission adopting rules regarding the deer inspection or DNA testing for genetic relationships could be absorbed within the department's existing resources. The bill does not have an effective date.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, KM, TB