

By: King of Zavala

H.B. No. 2434

Substitute the following for H.B. No. 2434:

By: M. Gonzalez of El Paso

C.S.H.B. No. 2434

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibiting the production or distribution of certain  
3 records of field trials or the process of hunting or catching  
4 wildlife; providing a civil remedy and creating an offense.

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

6 SECTION 1. Section 62.0125, Parks and Wildlife Code, is  
7 amended by adding Subsections (e-1), (i), and (j) to read as  
8 follows:

9 (e-1) No person may, without the consent of the landowner or  
10 the landowner's agent and with the intent to harm the landowner:

11 (1) use any device to produce an audio, visual, or  
12 audiovisual record of a person or a person's property lawfully  
13 engaged in field trials or in any part of the process of hunting or  
14 catching wildlife on the landowner's property; or

15 (2) distribute a record described by Subdivision (1).

16 (i) A landowner may bring a civil action against a person  
17 who violates Subsection (e-1) to recover:

18 (1) an amount equal to not more than three times the  
19 actual and consequential damages caused by the violation;

20 (2) court costs; and

21 (3) reasonable attorney's fees.

22 (j) The cause of action created by Subsection (i) is  
23 cumulative of any other remedy provided by common law or statute.

24 SECTION 2. Section 62.0125(h), Parks and Wildlife Code, is

1 repealed.

2           SECTION 3. (a) The repeal by this Act of Section  
3 62.0125(h), Parks and Wildlife Code, does not apply to an offense  
4 committed under that section before the effective date of this Act.  
5 For purposes of this section, an offense is committed before the  
6 effective date of this Act if any element of the offense occurs  
7 before that date.

8           (b) An offense committed before the effective date of this  
9 Act is governed by Section 62.0125(h), Parks and Wildlife Code, as  
10 it existed when the offense was committed, and the former law is  
11 continued in effect for that purpose.

12           SECTION 4. This Act takes effect September 1, 2013.