

## **RESOLUTION ANALYSIS**

C.S.H.J.R. 61  
By: Ashby  
Culture, Recreation & Tourism  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note that Texas has a rich and vibrant hunting tradition that has existed for generations. According to some sources, various groups around the country have worked to limit or eliminate hunting in some states, and in response a number of states have adopted some form of constitutional protection for hunting and fishing. C.S.H.J.R. 61 seeks to address this issue for Texas.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.J.R. 61 proposes an amendment to the Texas Constitution to establish that the people have the right to hunt, fish, and harvest wildlife, including by the use of traditional methods, subject to laws or regulations to conserve and manage wildlife and preserve the future of hunting and fishing. The resolution establishes that hunting and fishing are the preferred methods of managing and controlling wildlife and that the resolution's provisions do not affect any provision of law relating to trespass, property rights, or eminent domain nor the power of the legislature to authorize municipalities to regulate the discharge of weapons in populated areas in the interests of public safety.

### **ELECTION DATE**

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 3, 2015.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.J.R. 61 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the resolution.

#### **INTRODUCED**

SECTION 1. Article I, Texas Constitution,

#### **HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Article I, Texas Constitution,

is amended by adding Section 34 to read as follows:

Sec. 34. (a) The people have the right to hunt, fish, and harvest wildlife, including by the use of traditional methods, subject to laws or regulations to conserve and manage wildlife and preserve the future of hunting and fishing.

(b) Hunting and fishing are preferred methods of managing and controlling wildlife.

(c) This section does not affect any provision of law relating to trespass, property rights, or eminent domain.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 3, 2015. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment recognizing the right of the people to hunt, fish, and harvest wildlife subject to laws that promote wildlife conservation."

is amended by adding Section 34 to read as follows:

Sec. 34. (a) The people have the right to hunt, fish, and harvest wildlife, including by the use of traditional methods, subject to laws or regulations to conserve and manage wildlife and preserve the future of hunting and fishing.

(b) Hunting and fishing are preferred methods of managing and controlling wildlife.

(c) This section does not affect any provision of law relating to trespass, property rights, or eminent domain.

(d) This section does not affect the power of the Legislature to authorize municipalities to regulate the discharge of weapons in populated areas in the interests of public safety.

SECTION 2. Same as introduced version.