

By: Nevárez

H.B. No. 1891

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a documented member of the Kickapoo Traditional Tribe
3 of Texas hunting certain deer.

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

5 SECTION 1. Section 42.001(1), Parks and Wildlife Code, is
6 amended to read as follows:

7 (1) "Resident" means:

8 (A) an individual who has resided continuously in
9 this state for more than six months immediately before applying for
10 a hunting license;

11 (B) a member of the United States armed forces on
12 active duty;

13 (C) a dependent of a member of the United States
14 armed forces on active duty;

15 (D) if approved by the director, a terminally ill
16 individual who is participating in an event sponsored by a
17 charitable nonprofit organization; ~~[or]~~

18 (E) a member of the Kickapoo Traditional Tribe of
19 Texas who possesses documentation of membership sanctioned by the
20 Bureau of Indian Affairs; or

21 (F) a member of any other category of individuals
22 that the commission by regulation designates as residents.

23 SECTION 2. Section 61.021, Parks and Wildlife Code, is
24 amended to read as follows:

1 Sec. 61.021. TAKING WILDLIFE RESOURCES PROHIBITED. (a)

2 Except as provided by Subsection (b) or permitted under a
3 proclamation issued by the commission under this chapter, no person
4 may hunt, catch, or possess a game bird or game animal, fish, marine
5 animal, or other aquatic life at any time or in any place covered by
6 this chapter.

7 (b) A documented member of the Kickapoo Traditional Tribe of
8 Texas who holds a license under Section 42.002 may hunt antlerless
9 white-tailed deer for religious ceremonial purposes on any day of
10 the year between one-half hour before sunrise and one-half hour
11 after sunset. A documented member of the Kickapoo Traditional
12 Tribe of Texas hunting antlerless white-tailed deer under this
13 subsection:

14 (1) shall comply with all other provisions of this
15 code and proclamations adopted under this code;

16 (2) shall notify:

17 (A) a local game warden, deputy game warden, or
18 special game warden at least 24 hours before hunting antlerless
19 white-tailed deer at a time of the year when a person who holds a
20 license under Section 42.002 but who is not a documented member of
21 the Kickapoo Traditional Tribe of Texas may not hunt antlerless
22 white-tailed deer; and

23 (B) the department not later than September 1 of
24 each year of the member's intent to hunt antlerless white-tailed
25 deer for the following calendar year;

26 (3) may not hunt antlerless white-tailed deer outside
27 an open hunting season in a chronic wasting disease containment or

1 surveillance zone, as determined by the department; and

2 (4) may not receive a pecuniary gain from an action
3 taken under this subsection.

4 (c) Subsection (b) applies only to hunting on land that is:

5 (1) owned or leased by the Kickapoo Traditional Tribe
6 of Texas; and

7 (2) located in a county that:

8 (A) borders the United Mexican States and has a
9 population of more than 50,000 but less than 70,000; or

10 (B) is adjacent to a county described by
11 Paragraph (A) and has a population of less than 9,000.

12 SECTION 3. Section 61.057(a), Parks and Wildlife Code, is
13 amended to read as follows:

14 (a) Except as provided by Section 61.021 and ~~[in]~~ Subsection
15 (c) ~~[of this section]~~, no person may hunt an antlerless deer or
16 antelope in this state without first having acquired an antlerless
17 deer or antelope permit issued by the department on a form provided
18 by the department.

19 SECTION 4. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2017.