

1-1 By: Nevárez (Senate Sponsor - Uresti) H.B. No. 1891
 1-2 (In the Senate - Received from the House May 8, 2017;
 1-3 May 8, 2017, read first time and referred to Committee on
 1-4 Agriculture, Water & Rural Affairs; May 17, 2017, reported
 1-5 adversely, with favorable Committee Substitute by the following
 1-6 vote: Yeas 6, Nays 1; May 17, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11		X		
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 1891 By: Perry

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to a documented member of the Kickapoo Traditional Tribe
 1-20 of Texas hunting certain deer.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 42.001(1), Parks and Wildlife Code, is
 1-23 amended to read as follows:

1-24 (1) "Resident" means:

1-25 (A) an individual who has resided continuously in
 1-26 this state for more than six months immediately before applying for
 1-27 a hunting license;

1-28 (B) a member of the United States armed forces on
 1-29 active duty;

1-30 (C) a dependent of a member of the United States
 1-31 armed forces on active duty;

1-32 (D) if approved by the director, a terminally ill
 1-33 individual who is participating in an event sponsored by a
 1-34 charitable nonprofit organization; ~~or~~

1-35 (E) a member of the Kickapoo Traditional Tribe of
 1-36 Texas who possesses documentation of membership sanctioned by the
 1-37 Bureau of Indian Affairs; or

1-38 (F) a member of any other category of individuals
 1-39 that the commission by regulation designates as residents.

1-40 SECTION 2. Section 61.021, Parks and Wildlife Code, is
 1-41 amended to read as follows:

1-42 Sec. 61.021. TAKING WILDLIFE RESOURCES PROHIBITED. (a)
 1-43 Except as provided by Subsection (b) or permitted under a
 1-44 proclamation issued by the commission under this chapter, no person
 1-45 may hunt, catch, or possess a game bird or game animal, fish, marine
 1-46 animal, or other aquatic life at any time or in any place covered by
 1-47 this chapter.

1-48 (b) A documented member of the Kickapoo Traditional Tribe of
 1-49 Texas who holds a license under Section 42.002 may hunt antlerless
 1-50 white-tailed deer for religious ceremonial purposes on any day of
 1-51 the year between one-half hour before sunrise and one-half hour
 1-52 after sunset. A documented member of the Kickapoo Traditional
 1-53 Tribe of Texas hunting antlerless white-tailed deer under this
 1-54 subsection:

1-55 (1) shall comply with all other provisions of this
 1-56 code and proclamations adopted under this code;

1-57 (2) shall notify:

1-58 (A) a local game warden at least 24 hours before
 1-59 hunting antlerless white-tailed deer at a time of the year when a
 1-60 person who holds a license under Section 42.002 but who is not a

2-1 documented member of the Kickapoo Traditional Tribe of Texas may
2-2 not hunt antlerless white-tailed deer; and

2-3 (B) the department not later than September 1 of
2-4 each year of the member's intent to hunt antlerless white-tailed
2-5 deer for the following calendar year;

2-6 (3) may not hunt antlerless white-tailed deer outside
2-7 an open hunting season in a chronic wasting disease containment or
2-8 surveillance zone, as determined by the department; and

2-9 (4) may not receive a pecuniary gain from an action
2-10 taken under this subsection.

2-11 (c) Subsection (b) applies only to hunting on land that is:

2-12 (1) owned or leased by the Kickapoo Traditional Tribe
2-13 of Texas; and

2-14 (2) located in a county that:

2-15 (A) borders the United Mexican States and has a
2-16 population of more than 50,000 but less than 70,000; or

2-17 (B) is adjacent to a county described by
2-18 Paragraph (A) and has a population of less than 9,000.

2-19 SECTION 3. Section 61.057(a), Parks and Wildlife Code, is
2-20 amended to read as follows:

2-21 (a) Except as provided by Section 61.021 and ~~in~~ Subsection
2-22 (c) ~~[of this section]~~, no person may hunt an antlerless deer or
2-23 antelope in this state without first having acquired an antlerless
2-24 deer or antelope permit issued by the department on a form provided
2-25 by the department.

2-26 SECTION 4. This Act takes effect immediately if it receives
2-27 a vote of two-thirds of all the members elected to each house, as
2-28 provided by Section 39, Article III, Texas Constitution. If this
2-29 Act does not receive the vote necessary for immediate effect, this
2-30 Act takes effect September 1, 2017.

2-31 * * * * *