

By: Paddie, Herrero, Larson, Kuempel, et al.

H.B. No. 2855

Substitute the following for H.B. No. 2855:

By: Martinez

C.S.H.B. No. 2855

A BILL TO BE ENTITLED

AN ACT

relating to the identification of breeder deer by use of microchip implants.

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

SECTION 1. Section 43.3561, Parks and Wildlife Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) Not later than March 31 of the year following the year in which a breeder deer is born, the ~~breeder deer~~ held in a permitted deer breeding facility must be identified by:

(1) placing on each breeder deer possessed by the deer breeder a single, reasonably visible, durable identification tag bearing an alphanumeric number of not more than four characters assigned by the department to the breeding facility in which the breeder deer was born and unique to that breeder deer; or

(2) implanting in the breeder deer a microchip that is recognized by the United States Department of Agriculture for the identification of animals.

(a-1) A deer breeder is not required to remove the durable identification tag or microchip for any purpose but may remove the tag or microchip and replace the tag or microchip immediately to meet the requirements of this section.

(a-2) A deer breeder that uses a microchip for the identification of breeder deer shall make available a microchip

1 reader for use by personnel of the department and the Texas Animal  
2 Health Commission.

3 SECTION 2. Sections 43.357(a-1) and (b), Parks and Wildlife  
4 Code, are amended to read as follows:

5 (a-1) A deer breeder, a deer breeder's authorized agent, or  
6 an assistant who is not a permittee under this subchapter but is  
7 acting under the direction of a deer breeder or a deer breeder's  
8 authorized agent may capture a breeder deer held in a permitted  
9 facility for:

- 10 (1) removal from an enclosure;
- 11 (2) veterinary treatment;
- 12 (3) tagging or implanting a microchip;
- 13 (4) euthanasia for the purpose of:
  - 14 (A) humane dispatch of the breeder deer; or
  - 15 (B) the conduct of a test for a reportable  
16 disease as required by law; or
- 17 (5) any other purpose required or allowed by law.

- 18 (b) The commission may make regulations governing:
- 19 (1) the possession of breeder deer held under the  
20 authority of this subchapter;
  - 21 (2) the recapture of lawfully possessed breeder deer  
22 that have escaped from the facility of a deer breeder;
  - 23 (3) permit applications and fees;
  - 24 (4) reporting requirements;
  - 25 (5) procedures and requirements for the purchase,  
26 transfer, sale, or shipment of breeder deer;
  - 27 (6) the endorsement of a deer breeder facility by a

1 certified wildlife biologist;

2 (7) the number of breeder deer that a deer breeder may  
3 possess; [~~and~~]

4 (8) the dates for which a deer breeder permit is valid;  
5 and

6 (9) the use of microchip implants for identifying  
7 breeder deer under this section.

8 SECTION 3. This Act takes effect September 1, 2017.