

By: Paddie

H.B. No. 2855

A BILL TO BE ENTITLED

1 AN ACT

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

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

5 SECTION 1. Section 43.3561, Parks and Wildlife Code, is
6 amended to read as follows:

7 Sec. 43.3561. IDENTIFICATION OF BREEDER DEER. (a) Not
8 later than March 31 of the year following the year in which a the ~~the~~
9 breeder deer is born, the ~~a~~ breeder deer held in a permitted deer
10 breeding facility must be identified by:

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

16 (2) implanting in the breeder deer a microchip that is
17 programmed to contain the alphanumeric number described by
18 Subdivision (1).

19 (b) A deer breeder is not required to remove the durable
20 identification tag or microchip for any purpose but may remove the
21 tag or microchip and replace the tag or microchip immediately to
22 meet the requirements of this section.

23 (c) Except as provided by Subsection (e), a ~~(b)~~ A person
24 may not remove or knowingly permit the removal of a breeder deer

1 held in a facility by a permittee under this subchapter unless the
2 breeder deer has been permanently and legibly tattooed in one ear
3 with the unique identification number assigned to the breeder in
4 lawful possession of the breeder deer and specific to the breeding
5 facility in which the breeder deer was born or initially introduced
6 if from an out-of-state source.

7 (d) Except as provided by Subsection (e), a ~~[(e)—A]~~ person
8 may not knowingly accept or permit the acceptance of a breeder deer
9 into a facility regulated under this subchapter unless the breeder
10 deer has been permanently and legibly tattooed in one ear with the
11 unique identification number assigned to the breeder in lawful
12 possession of the breeder deer and specific to the facility in which
13 the breeder deer was born or initially introduced if from an
14 out-of-state source.

15 (e) Instead of using a tattoo to identify a breeder deer
16 under Subsection (c) or (d), a deer breeder may identify a deer by
17 using a department-approved microchip implanted under the deer's
18 skin.

19 (f) The department annually may inspect a deer breeding
20 facility that uses microchip implants to identify breeder deer to
21 ensure compliance with this section.

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

24 (a-1) A deer breeder, a deer breeder's authorized agent, or
25 an assistant who is not a permittee under this subchapter but is
26 acting under the direction of a deer breeder or a deer breeder's
27 authorized agent may capture a breeder deer held in a permitted

1 facility for:

- 2 (1) removal from an enclosure;
- 3 (2) veterinary treatment;
- 4 (3) tagging or implanting a microchip;
- 5 (4) euthanasia for the purpose of:
 - 6 (A) humane dispatch of the breeder deer; or
 - 7 (B) the conduct of a test for a reportable
- 8 disease as required by law; or
- 9 (5) any other purpose required or allowed by law.

10 (b) The commission may make regulations governing:

- 11 (1) the possession of breeder deer held under the
- 12 authority of this subchapter;
- 13 (2) the recapture of lawfully possessed breeder deer
- 14 that have escaped from the facility of a deer breeder;
- 15 (3) permit applications and fees;
- 16 (4) reporting requirements;
- 17 (5) procedures and requirements for the purchase,
- 18 transfer, sale, or shipment of breeder deer;
- 19 (6) the endorsement of a deer breeder facility by a
- 20 certified wildlife biologist;
- 21 (7) the number of breeder deer that a deer breeder may
- 22 possess; ~~and~~
- 23 (8) the dates for which a deer breeder permit is valid;
- 24 and
- 25 (9) the use of microchip implants for identifying
- 26 breeder deer under this section.

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