

BILL ANALYSIS

H.B. 547
By: Canales
Culture, Recreation & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that game wardens in the field at times allow hunters and fishers to show a digital picture of their hunting or fishing license as proof of their valid licensure but that legislation is needed to more fully reflect this modern practice. H.B. 547 seeks to address this issue by setting out provisions relating to the use of a wireless communication device to verify hunting and fishing license information.

CRIMINAL JUSTICE IMPACT

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

ANALYSIS

H.B. 547 amends the Parks and Wildlife Code to require applicable adopted rules relating to a hunting license, fishing license, and combination hunting and fishing license to allow for a person to present for the purpose of verifying possession an image of the applicable license displayed on a wireless communication device. The image displayed may be either an image of information from the Parks and Wildlife Department website or a photograph of a license. The bill establishes that the display of an image that includes license information on such a device does not constitute effective consent for a law enforcement officer, or any other person, to access the contents of the device except to view the license information. The bill establishes that the authorization of the use of such a device to display license information does not prevent a court of competent jurisdiction from requiring a person to provide a paper copy of the person's license in a hearing or trial or in connection with discovery proceedings. The bill prohibits a telecommunications provider from being held liable to the holder of a license for the failure of such a device to display license information.

EFFECTIVE DATE

September 1, 2019.