

By: Canales

H.B. No. 547

A BILL TO BE ENTITLED

AN ACT

relating to verification of hunting and fishing license information.

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

SECTION 1. Section 42.006, Parks and Wildlife Code, is amended to read as follows:

Sec. 42.006. POSSESSION OF LICENSE;[+] RULES. (a) The commission by rule may prescribe requirements relating to possessing a license issued under this chapter.

(b) Rules adopted under Subsection (a) must allow for a person to present for the purpose of verification of possession a hunting license as an image displayed on a wireless communication device. The image displayed may be either an image of information from the Internet website of the department or a photograph of a hunting license.

(c) The display of an image that includes hunting license information on a wireless communication device under this section does not constitute effective consent for a law enforcement officer, or any other person, to access the contents of the wireless communication device except to view the hunting license information.

(d) The authorization of the use of a wireless communication device to display hunting license information under Subsection (b) does not prevent a court of competent jurisdiction from requiring a

1 person to provide a paper copy of the person's hunting license in a
2 hearing or trial or in connection with discovery proceedings.

3 (e) A telecommunications provider, as defined by Section
4 51.002, Utilities Code, may not be held liable to the holder of a
5 hunting license for the failure of a wireless communication device
6 to display hunting license information under Subsection (b).

7 SECTION 2. Section 46.0085, Parks and Wildlife Code, is
8 amended by adding Subsections (d), (e), (f), and (g) to read as
9 follows:

10 (d) Rules adopted under Subsection (a) must allow for a
11 person to present for the purpose of verification of possession a
12 fishing license as an image displayed on a wireless communication
13 device. The image displayed may be either an image of information
14 from the Internet website of the department or a photograph of a
15 fishing license.

16 (e) The display of an image that includes fishing license
17 information on a wireless communication device under this section
18 does not constitute effective consent for a law enforcement
19 officer, or any other person, to access the contents of the wireless
20 communication device except to view the fishing license
21 information.

22 (f) The authorization of the use of a wireless communication
23 device to display fishing license information under Subsection (d)
24 does not prevent a court of competent jurisdiction from requiring a
25 person to provide a paper copy of the person's fishing license in a
26 hearing or trial or in connection with discovery proceedings.

27 (g) A telecommunications provider, as defined by Section

1 51.002, Utilities Code, may not be held liable to the holder of a
2 fishing license for the failure of a wireless communication device
3 to display fishing license information under Subsection (d).

4 SECTION 3. Section 50.004, Parks and Wildlife Code, is
5 amended by adding Subsections (c), (d), (e), and (f) to read as
6 follows:

7 (c) Rules adopted under Subsection (a) must allow for a
8 person to present for the purpose of verification of possession a
9 combination hunting and fishing license as an image displayed on a
10 wireless communication device. The image displayed may be either an
11 image of information from the Internet website of the department or
12 a photograph of a combination hunting and fishing license.

13 (d) The display of an image that includes combination
14 hunting and fishing license information on a wireless communication
15 device under this section does not constitute effective consent for
16 a law enforcement officer, or any other person, to access the
17 contents of the wireless communication device except to view the
18 combination hunting and fishing license information.

19 (e) The authorization of the use of a wireless communication
20 device to display combination hunting and fishing license
21 information under Subsection (c) does not prevent a court of
22 competent jurisdiction from requiring a person to provide a paper
23 copy of the person's combination hunting and fishing license in a
24 hearing or trial or in connection with discovery proceedings.

25 (f) A telecommunications provider, as defined by Section
26 51.002, Utilities Code, may not be held liable to the holder of a
27 combination hunting and fishing license for the failure of a

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1 wireless communication device to display combination hunting and
2 fishing license information under Subsection (c).

3 SECTION 4. This Act takes effect September 1, 2019.