

1-1 By: Canales, et al. (Senate Sponsor - Perry) H.B. No. 547
1-2 (In the Senate - Received from the House April 1, 2019;
1-3 April 2, 2019, read first time and referred to Committee on Water &
1-4 Rural Affairs; April 25, 2019, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; April 25, 2019, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----------|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | Perry | X | | |
| 1-9 | Creighton | X | | |
| 1-10 | Alvarado | X | | |
| 1-11 | Johnson | X | | |
| 1-12 | Kolkhorst | X | | |
| 1-13 | Rodríguez | X | | |
| 1-14 | Taylor | X | | |

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to verification of hunting and fishing license
1-18 information.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 42.006, Parks and Wildlife Code, is
1-21 amended to read as follows:

1-22 Sec. 42.006. POSSESSION OF LICENSE;[+] RULES. (a) The
1-23 commission by rule may prescribe requirements relating to
1-24 possessing a license issued under this chapter.

1-25 (b) Rules adopted under Subsection (a) must allow for a
1-26 person to present for the purpose of verification of possession a
1-27 hunting license as an image displayed on a wireless communication
1-28 device. The image displayed may be either an image of information
1-29 from the Internet website of the department or a photograph of a
1-30 hunting license.

1-31 (c) The display of an image that includes hunting license
1-32 information on a wireless communication device under this section
1-33 does not constitute effective consent for a law enforcement
1-34 officer, or any other person, to access the contents of the wireless
1-35 communication device except to view the hunting license
1-36 information.

1-37 (d) The authorization of the use of a wireless communication
1-38 device to display hunting license information under Subsection (b)
1-39 does not prevent a court of competent jurisdiction from requiring a
1-40 person to provide a paper copy of the person's hunting license in a
1-41 hearing or trial or in connection with discovery proceedings.

1-42 (e) A telecommunications provider, as defined by Section
1-43 51.002, Utilities Code, may not be held liable to the holder of a
1-44 hunting license for the failure of a wireless communication device
1-45 to display hunting license information under Subsection (b).

1-46 SECTION 2. Section 46.0085, Parks and Wildlife Code, is
1-47 amended by adding Subsections (d), (e), (f), and (g) to read as
1-48 follows:

1-49 (d) Rules adopted under Subsection (a) must allow for a
1-50 person to present for the purpose of verification of possession a
1-51 fishing license as an image displayed on a wireless communication
1-52 device. The image displayed may be either an image of information
1-53 from the Internet website of the department or a photograph of a
1-54 fishing license.

1-55 (e) The display of an image that includes fishing license
1-56 information on a wireless communication device under this section
1-57 does not constitute effective consent for a law enforcement
1-58 officer, or any other person, to access the contents of the wireless
1-59 communication device except to view the fishing license
1-60 information.

1-61 (f) The authorization of the use of a wireless communication

2-1 device to display fishing license information under Subsection (d)
2-2 does not prevent a court of competent jurisdiction from requiring a
2-3 person to provide a paper copy of the person's fishing license in a
2-4 hearing or trial or in connection with discovery proceedings.

2-5 (g) A telecommunications provider, as defined by Section
2-6 51.002, Utilities Code, may not be held liable to the holder of a
2-7 fishing license for the failure of a wireless communication device
2-8 to display fishing license information under Subsection (d).

2-9 SECTION 3. Section 50.004, Parks and Wildlife Code, is
2-10 amended by adding Subsections (c), (d), (e), and (f) to read as
2-11 follows:

2-12 (c) Rules adopted under Subsection (a) must allow for a
2-13 person to present for the purpose of verification of possession a
2-14 combination hunting and fishing license as an image displayed on a
2-15 wireless communication device. The image displayed may be either an
2-16 image of information from the Internet website of the department or
2-17 a photograph of a combination hunting and fishing license.

2-18 (d) The display of an image that includes combination
2-19 hunting and fishing license information on a wireless communication
2-20 device under this section does not constitute effective consent for
2-21 a law enforcement officer, or any other person, to access the
2-22 contents of the wireless communication device except to view the
2-23 combination hunting and fishing license information.

2-24 (e) The authorization of the use of a wireless communication
2-25 device to display combination hunting and fishing license
2-26 information under Subsection (c) does not prevent a court of
2-27 competent jurisdiction from requiring a person to provide a paper
2-28 copy of the person's combination hunting and fishing license in a
2-29 hearing or trial or in connection with discovery proceedings.

2-30 (f) A telecommunications provider, as defined by Section
2-31 51.002, Utilities Code, may not be held liable to the holder of a
2-32 combination hunting and fishing license for the failure of a
2-33 wireless communication device to display combination hunting and
2-34 fishing license information under Subsection (c).

2-35 SECTION 4. This Act takes effect September 1, 2019.

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