By:  Smithee, Buckley (Senate Sponsor - Perry) H.B. No. 1728

(In the Senate - Received from the House April 14, 2021; April 19, 2021, read first time and referred to Committee on Water, Agriculture & Rural Affairs; May 4, 2021, reported favorably by the following vote: Yeas 7, Nays 0; May 4, 2021, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Perry           X

Springer        X

Creighton                 X

Eckhardt        X

Gutierrez                 X

Johnson         X

Kolkhorst       X

Powell          X

Taylor          X

A BILL TO BE ENTITLED

AN ACT

relating to partnerships between the Texas Parks and Wildlife Department and nonprofit entities to promote hunting and fishing by certain veterans.

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

SECTION 1.  Subchapter J, Chapter 11, Parks and Wildlife Code, is amended by adding Section 11.208 to read as follows:

Sec. 11.208.  PARTNERSHIP WITH NONPROFIT SERVING VETERANS. (a) In this section, "veteran" means a person who has served in the United States armed forces.

(b)  The department may select and cooperate with one or more nonprofit partners that exclusively serve veterans to promote hunting and fishing by those veterans. A selection under this section must be approved by the commission.

(c)  A veteran who is a resident of this state and who is served by a nonprofit selected under Subsection (b) may:

(1)  hunt on one day without holding a hunting license required under Chapter 42 if accompanied by a representative of the nonprofit partner who holds the appropriate license; and

(2)  fish on one day without holding a fishing license required under Chapter 46 if accompanied by a representative of the nonprofit partner who holds the appropriate license.

(d)  The commission by rule shall establish:

(1)  criteria under which the department may select a nonprofit partner under this section; and

(2)  guidelines under which a representative of or a veteran served by a nonprofit partner may engage in hunting or fishing activities under this section.

SECTION 2.  The heading to Section 42.002, Parks and Wildlife Code, is amended to read as follows:

Sec. 42.002.  RESIDENT LICENSE REQUIRED; EXEMPTIONS [~~EXEMPTION~~].

SECTION 3.  Section 42.002, Parks and Wildlife Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a)  Except as provided by Subsections (b), [~~and~~] (c), and (d) [~~of this section~~], no resident may hunt any bird or animal in this state without having acquired a hunting license.

(d)  A person who is a resident and who is a veteran of the United States armed forces is not required to have a license issued under this section if the person is acting under Section 11.208 and complying with rules adopted under that section.

SECTION 4.  Section 46.002(a), Parks and Wildlife Code, is amended to read as follows:

(a)  A license issued under this chapter is not required of a person:

(1)  who is a resident and whose birth date is before January 1, 1931;

(2)  who is a nonresident, if the person's birth date is before September 1, 1930, and the person's state of residence grants a similar age exemption to Texas residents;

(3)  who is mentally disabled and who is engaging in recreational fishing as part of medically approved therapy, and who is fishing under the immediate supervision of personnel approved or employed by a hospital, residence, or school for mentally disabled persons;

(4)  who is mentally retarded and is engaged in recreational fishing under the immediate supervision of a person who:

(A)  holds a license issued under this chapter; and

(B)  has the permission of the mentally retarded person's family head or legal guardian to take the mentally retarded person fishing if the person is not a member of the family of the mentally retarded person; [~~or~~]

(5)  who is participating in an event that is sponsored or co-sponsored by the Texas Parks and Wildlife Department with the approval of the Executive Director; or

(6)  who is a resident and who is a veteran of the United States armed forces, if the person is acting under Section 11.208 and complying with rules adopted under that section.

SECTION 5.  This Act takes effect September 1, 2021.

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