

By: Smithee

H.B. No. 1728

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to partnerships between the Texas Parks and Wildlife  
3 Department and nonprofit entities to promote hunting and fishing by  
4 certain veterans.

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

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

8 Sec. 11.208. PARTNERSHIP WITH NONPROFIT SERVING VETERANS.

9 (a) In this section, "veteran" means a person who has served in the  
10 United States armed forces.

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

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

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

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

23 (d) The commission by rule shall establish:

24 (1) criteria under which the department may select a

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18                   (6) who is a resident and who is a veteran of the  
19 United States armed forces, if the person is acting under Section  
20 11.208 and complying with rules adopted under that section.

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