

By: Gervin-Hawkins, Guillen

H.B. No. 2040

Substitute the following for H.B. No. 2040:

By: Israel

C.S.H.B. No. 2040

A BILL TO BE ENTITLED

AN ACT

1
2 relating to special open season hunting of certain migratory game
3 birds by veterans and members of the United States armed forces on
4 active duty.

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

6 SECTION 1. Section 61.058, Parks and Wildlife Code, is
7 amended by adding Subsection (c) to read as follows:

8 (c) A special open season provided for by the commission
9 under Subsection (a) may be combined with a special open season
10 provided for by the commission under Section 61.059.

11 SECTION 2. Subchapter C, Chapter 61, Parks and Wildlife
12 Code, is amended by adding Section 61.059 to read as follows:

13 Sec. 61.059. HUNTING OF CERTAIN MIGRATORY GAME BIRDS BY
14 VETERANS AND ACTIVE DUTY ARMED FORCES MEMBERS. (a) The commission
15 may provide for special open seasons during which the taking and
16 possession of ducks, geese, mergansers, coots, moorhens, and
17 gallinules are restricted to veterans, as defined by 38 U.S.C.
18 Section 101, and members of the armed forces of the United States on
19 active duty, including members of the national guard and reserves
20 on active duty other than for training.

21 (b) A special open season provided for by the commission
22 under Subsection (a) may be combined with a special open season
23 provided for by the commission under Section 61.058.

24 (c) The commission by rule may prescribe the proof of

1 veteran or active duty status required of a person to participate in
2 a special open season under this section.

3 (d) If the commission by rule requires that a person
4 participating in a special open season under this section have in
5 the person's immediate possession proof of the person's veteran or
6 active duty status in accordance with commission rule, the rule
7 must provide that it is a defense to prosecution under that rule
8 that the person produces in court proof of the person's veteran or
9 active duty status in accordance with commission rule.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2021.