

SENATE AMENDMENTS

2nd Printing

By: Frullo

H.B. No. 2326

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the possession, transportation, and release of certain
3 nonindigenous snakes; increasing a criminal penalty.

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

5 SECTION 1. Section 43.851(a), Parks and Wildlife Code, is
6 amended to read as follows:

7 (a) The commission by rule shall establish permits that
8 allow permit holders to possess or transport in this state a live
9 nonindigenous snake, including a hybrid of any kind, that is:

10 (1) venomous [~~snake~~]; or

11 (2) a constrictor that is one of the following:

12 (A) African rock python, *Python sebae*;

13 (B) Asiatic rock python, *Python molurus*;

14 (C) Burmese python, *Python bivittatus*;

15 (D) green anaconda, *Eunectes murinus*;

16 (E) [~~(D)~~] reticulated python, *Python*
17 *reticulatus*; or

18 (F) [~~(E)~~] southern African python, *Python*
19 *natalensis*.

20 SECTION 2. Section 43.853, Parks and Wildlife Code, is
21 amended to read as follows:

22 Sec. 43.853. RELEASE FROM CAPTIVITY. A person may not
23 intentionally, knowingly, recklessly, or with criminal negligence
24 release or allow the release from captivity of a nonindigenous

1 snake [~~covered by this subchapter~~].

2 SECTION 3. Section 43.856, Parks and Wildlife Code, is
3 amended by amending Subsection (a) and adding Subsection (c) to
4 read as follows:

5 (a) Except as provided by Subsection (b) or (c), a person
6 who violates this subchapter or a rule adopted under this
7 subchapter commits an offense that is a Class C Parks and Wildlife
8 Code misdemeanor.

9 (c) If it is shown at the trial of the defendant for a
10 violation of this subchapter or a rule adopted under this
11 subchapter that the defendant has engaged in a commercial activity
12 without holding a required permit and the defendant has been
13 previously convicted of a violation of this subchapter or a rule
14 adopted under this subchapter, on conviction the defendant shall be
15 punished for a Class B Parks and Wildlife Code misdemeanor.

16 SECTION 4. This Act takes effect September 1, 2021.

ADOPTED

MAY 19 2021

By: [Signature] - H

[Signature]
Secretary of the Senate

H
S.B. No. 2324

Substitute the following for S.B. No. 2324

By: [Signature]

H
C.S. S.B. No. 2324

A BILL TO BE ENTITLED

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relating to the possession and transportation of certain nonindigenous snakes; increasing a criminal penalty.

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

SECTION 1. Section 43.851(a), Parks and Wildlife Code, is amended to read as follows:

(a) The commission by rule shall establish permits that allow permit holders to possess or transport in this state a live nonindigenous snake, including a hybrid of any kind, that is:

- (1) venomous [~~snake~~]; or
- (2) a constrictor that is one of the following:
 - (A) African rock python, *Python sebae*;
 - (B) Asiatic rock python, *Python molurus*;
 - (C) Burmese python, *Python bivittatus*;
 - (D) green anaconda, *Eunectes murinus*;
 - (E) [~~D~~] reticulated python, *Python reticulatus*;

or

(F) [~~E~~] southern African python, *Python natalensis*.

SECTION 2. Section 43.856, Parks and Wildlife Code, is

amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsection (b) or (c), a person who violates this subchapter or a rule adopted under this subchapter commits an offense that is a Class C Parks and Wildlife Code misdemeanor.

(c) If it is shown at the trial of the defendant for a violation of this subchapter or a rule adopted under this subchapter that the defendant has engaged in a commercial activity without holding a required permit and the defendant has been previously convicted of a violation of this subchapter or a rule adopted under this subchapter, on conviction the defendant shall be punished for a Class B Parks and Wildlife Code misdemeanor.

SECTION 3. This Act takes effect September 1, 2021.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 19, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2326 by Frullo (Relating to the possession and transportation of certain nonindigenous snakes; increasing a criminal penalty.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code to add Burmese pythons to the types of nonindigenous snakes that require a permit to possess or transport in the state. It would increase the punishment for failure to obtain a permit from a Class C misdemeanor to a Class B misdemeanor under certain circumstances.

Based on information provided by the Parks and Wildlife Department and the Office of Court Administration, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin, 802 Parks and Wildlife Department

LBB Staff: JMc, LBO, AJL, PBO, MW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 13, 2021

TO: Honorable Charles Perry, Chair, Senate Committee on Water, Agriculture & Rural Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB2326** by Frullo (Relating to the possession and transportation of certain nonindigenous snakes; increasing a criminal penalty.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

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Source Agencies: 212 Office of Court Admin, 802 Parks and Wildlife Department

LBB Staff: JMc, AJL, PBO, MW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 11, 2021

TO: Honorable Charles Perry, Chair, Senate Committee on Water, Agriculture & Rural Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2326 by Frullo (Relating to the possession, transportation, and release of certain nonindigenous snakes; increasing a criminal penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code to add Burmese pythons to the types of nonindigenous snakes that require a permit to possess or transport in the state. It would increase the punishment for failure to obtain a permit from a Class C misdemeanor to a Class B misdemeanor under certain circumstances.

Based on information provided by the Parks and Wildlife Department and the Office of Court Administration, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin, 802 Parks and Wildlife Department

LBB Staff: JMc, AJL, PBO, MW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 20, 2021

TO: Honorable Ken King, Chair, House Committee on Culture, Recreation & Tourism

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2326 by Frullo (Relating to the possession, transportation, and release of certain nonindigenous snakes; increasing a criminal penalty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code to add Burmese pythons to the types of nonindigenous snakes that require a permit to possess or transport in the state. It would increase the punishment for failure to obtain a permit from a Class C misdemeanor to a Class B misdemeanor under certain circumstances.

Based on information provided by the Parks and Wildlife Department and the Office of Court Administration, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin, 802 Parks and Wildlife Department

LBB Staff: JMc, AJL, MW, PBO