

By: Bailes

H.B. No. 3073

A BILL TO BE ENTITLED

AN ACT

relating to costs associated with and procedures for the assessment and destruction of certain deer.

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

SECTION 1. Section 43.953, Parks and Wildlife Code, is amended to read as follows:

Sec. 43.953. ASSESSMENT AND DESTRUCTION OF DEER. (a) Before any deer may be destroyed under this subchapter:

(1) an agent of the animal health commission shall, in a timely manner, [may] conduct an epidemiological assessment that includes live animal testing of each deer considered for destruction~~[+~~

~~[(A) if the assessment can be conducted in a timely manner, and~~

~~[(B) contingent on the availability of funding];~~

and

(2) the department must consider the results of the ~~[an]~~ assessment~~[, if]~~ conducted~~[,]~~ under Subdivision (1).

(b) To control or prevent the spread of disease, deer to which this subchapter applies may be destroyed only if the department determines, after considering the results of an assessment conducted under Subsection (a), that the deer pose a threat to the health of other deer or other species, including humans.

1 (c) The department may [~~shall~~] carry out an order to destroy
2 deer only after:

3 (1) making the determination required by Subsection
4 (b); and

5 (2) providing notice [~~has been provided~~] to the permit
6 holder under Section 43.954.

7 (d) A permit holder may waive any requirement of this
8 section.

9 SECTION 2. Section 43.954(b), Parks and Wildlife Code, is
10 amended to read as follows:

11 (b) A notice provided under this section must be sent by
12 certified mail to the last known address of the permit holder and
13 must contain:

14 (1) the date of destruction, which may not be sooner
15 than the 10th day after the date of the notice;

16 (2) an explanation of any access restrictions imposed
17 on the facility or acreage covered by the permit during the
18 destruction of the deer; and

19 (3) an explanation of the reasons for the destruction,
20 including the results of the [~~any~~] epidemiological assessment
21 conducted under Section 43.953(a) applicable to the deer that are
22 the subject of the notice.

23 SECTION 3. Section 43.955, Parks and Wildlife Code, is
24 amended to read as follows:

25 Sec. 43.955. COST OF ASSESSMENT AND DESTRUCTION OF DEER
26 [~~RECOVERY~~]. The department [~~applicable permit holder~~] shall pay
27 all costs associated with:

1 (1) the [~~an~~] epidemiological assessment conducted
2 under Section 43.953(a) [~~this subchapter~~] to the animal health
3 commission; and

4 (2) the destruction of deer under this subchapter,
5 including any costs associated with the disposal of the deer [~~to the~~
6 ~~department~~].

7 SECTION 4. (a) Sections 43.953 and 43.954(b), Parks and
8 Wildlife Code, as amended by this Act, apply only to the destruction
9 of deer on or after the effective date of this Act.

10 (b) Section 43.955, Parks and Wildlife Code, as amended by
11 this Act, applies only to the payment of costs arising from an
12 epidemiological assessment conducted, or the destruction of deer
13 commencing, on or after the effective date of this Act.

14 SECTION 5. This Act takes effect September 1, 2023.