

BILL ANALYSIS

Senate Research Center
89R4720 BEE-F

S.B. 1248
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Water, Agriculture and Rural Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1248 protects specific harvest location information submitted by hunters and anglers in a digital license tag.

In 2021, the Texas Parks and Wildlife Department (TPWD) was authorized to implement a system of digital tagging. TPWD currently offers this option for harvested deer, turkey, and red drum. In August 2025, the Texas Parks and Wildlife Commission is expected to take action to expand digital tagging across all license types. Harvest location data collected from digital tagging (down the pinpoint latitude and longitude), as well as data from mandatory and voluntary reporting, is currently subject to open records disclosure. This lack of privacy has the potential to affect the trust between TPWD and its regulated community. It also creates a barrier to the collection of accurate harvest data, which is critical for wildlife population management.

S.B. 1248 provides a narrow exception to the Open Records Act by specifically exempting location information from disclosure as part of a harvest report. This bill then identifies the entities and instances in which TPWD may release harvest report location data. These include release to both federal and state law enforcement bodies, as well as in aggregate form that maintains the confidentiality of the specific landowner's location.

As proposed, S.B. 1248 amends current law relating to the disclosure of certain harvest report information submitted to the Parks and Wildlife Department.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 11, Parks and Wildlife Code, by adding Section 11.0305, as follows:

Sec. 11.0305. DISCLOSURE OF HARVEST REPORT INFORMATION. (a) Prohibits information from a report submitted to the Texas Parks and Wildlife Department (TPWD) relating to the recreational harvest authorized by certain chapters of the Parks and Wildlife Code of game animals, game birds, fur-bearing animals, nongame animals, alligators, or fish or other aquatic life, including the specific location of harvested wildlife, from being disclosed except as authorized by this section or Section 12.014 (Notice of Wildlife Disease Outbreak).

(b) Provides that Chapter 552 (Public Information), Government Code, does not apply to information from a report described by Subsection (a).

(c) Authorizes the Texas Parks and Wildlife Commission or TPWD to disclose information from a report described by Subsection (a) to a federal or state law enforcement agency if the agency provides a lawfully issued subpoena.

(d) Authorizes TPWD to disclose statistical data and compilations of information from a report described by Subsection (a) in a manner that does not identify any person who submitted the report or harvested wildlife as described in the report or any specific location information, including a photograph, that could be used to identify the location where the harvest of wildlife described in the report occurred.

(e) Authorizes TPWD to disclose information from a report described by Subsection (a) only to an individual identified in the report or that individual's representative; another governmental body, including a law enforcement entity, as needed to carry out a governmental purpose; or an entity contracted with TPWD that has signed a nondisclosure agreement prohibiting the entity from disclosing information from the report, if necessary for research, analysis, or another activity TPWD determines to be appropriate.

(f) Provides that this section does not authorize TPWD to disclose information TPWD is prohibited from disclosing by other law.

(g) Provides that TPWD and its officers and employees are immune from civil liability for an unintentional violation of this section.

(h) Provides that, in this section, a reference to TPWD includes a reference to an agent of TPWD.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.