

BILL ANALYSIS

Senate Research Center
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S.B. 1285
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Bats are vital to our Texas economy and environment. Bats can protect crops from damage and reduce the reliance on chemical pesticides through their consumption of insects. Texas hosts 32 of 47 bat species in the United States and hosts the largest discovered bat colony globally. Currently in Texas law, hunting, killing, possessing, purchasing, or selling bats is prohibited and penalized as a Class C misdemeanor. However, exceptions exist—bats may be relocated, trapped, or killed if they are inside or in a building occupied by people.

In April 2024, concerns arose over the removal of a bat colony in San Antonio. According to reports, property management, using spray foam, sealed the bats inside the building potentially leaving them trapped to die, unable to escape. In this case, Austin Bat Refuge learned about the events and intervened, removing the foam to allow the bats to exit safely.

S.B. 1285 amends Section 63.191 of the Parks and Wildlife Code to prevent the confining of bats. The bill further adds Section (b-1) which states roost site evacuation from builds must be completed in a nonlethal method and designates no evacuations between May and August while bat pups are still learning to fly. Section (b-1) will not apply to licensed pest control professionals, animal control officers, peace officers, or health officials.

As proposed, S.B. 1285 amends current law relating to the protection of bats.

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 Section 63.101, Parks and Wildlife Code, as follows:

Sec. 63.101. PROTECTION OF BATS. (a) Prohibits a person, except as provided by Subsections (b), (b-1), and (c), from taking certain actions, including confining or hunting a bat. Makes nonsubstantive changes.

(b) Authorizes a bat, subject to Subsection (b-1), to be removed or hunted if the bat is inside or on a building occupied by people. Makes a nonsubstantive change.

(b-1) Authorizes a bat or bat colony using a building or structure as a roost site to be controlled only by a nonlethal exclusion method that allows bats to leave but not reenter the building or structure. Prohibits the exclusion method described by this subsection from being implemented during the period each year beginning May 1 and ending August 31.

(c) Provides that this section does not apply to:

(1) an animal control officer, a peace officer, a licensed pest control professional, or a health official who captures a bat that the officer, professional, or official considers injured or diseased; or

(2) a person who transports a bat for the purpose of laboratory testing if the bat has exposed or potentially exposed humans or domestic animals to rabies or rehabilitation at a registered rehabilitation facility if the bat has had no known prior exposure with humans.

Deletes text of existing Subdivision (3) providing that this section does not apply to a person who is licensed to provide pest control services.

SECTION 2. Effective date: September 1, 2025.