

By: Leo Wilson

H.B. No. 654

A BILL TO BE ENTITLED

AN ACT

relating to the dismissal of a criminal charge related to the illegal hunting of certain deer; authorizing fees.

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

SECTION 1. Subchapter F, Chapter 61, Parks and Wildlife Code, is amended by adding Section 61.902 to read as follows:

Sec. 61.902. DISMISSAL OF CERTAIN CHARGES RELATED TO PROHIBITED HUNTING ON COMPLETION OF HUNTER EDUCATION COURSE. (a) In this section, "hunter education course" means a hunter education course established under Section 62.014.

(b) This section applies only to an alleged offense for the violation of a provision of this code, or a proclamation or regulation of the commission issued under the authority of this code, that prohibits the hunting of certain mule deer or white-tailed deer based on the inside or outside spread measurement of the deer's antlers.

(c) A court having proper jurisdiction of an offense to which this section applies may, without entering an adjudication of guilt, defer proceedings against a defendant for a period not to exceed 180 days if the defendant:

(1) reported the defendant's commission of the offense to the department and was subsequently charged with the offense;

(2) has not previously been convicted of an offense to which this section applies;

1 (3) pleads nolo contendere or guilty to the offense in
2 open court; and

3 (4) presents to the court an oral or written request to
4 attend a hunter education course.

5 (d) The court shall dismiss a defendant's charge that the
6 court deferred under Subsection (c) if the defendant presents
7 satisfactory evidence that the defendant:

8 (1) has successfully completed the hunter education
9 course before the last day of the deferral period; and

10 (2) during the deferral period, has not violated a
11 provision of this code or a proclamation or regulation of the
12 commission issued under the authority of this code.

13 (e) The court shall enter an adjudication of guilt and
14 impose the penalty for the offense if the defendant fails to satisfy
15 the conditions for dismissal of the charge described by Subsection
16 (d).

17 (f) Notwithstanding any other law, a charge dismissed under
18 this section may not be:

19 (1) considered a conviction for the purposes of any
20 disqualifications or disabilities imposed by this code or other law
21 for conviction of an offense; or

22 (2) used as grounds for denying issuance of a
23 professional or occupational license or certificate to, or
24 suspending or revoking the professional or occupational license or
25 certificate of, the defendant otherwise entitled to or qualified
26 for the license or certificate.

27 (g) A court may transfer a case in which proceedings have

1 been deferred under this section to a different court if that court
2 consents to the transfer and has jurisdiction over the case.

3 (h) In addition to court costs and fees authorized or
4 imposed by a law of this state and applicable to the offense, the
5 court may require a defendant who requests a hunter education
6 course to pay a reimbursement fee in an amount not to exceed \$10 to
7 cover the costs of administering this section. Money collected by
8 the court shall be deposited in the county treasury of the county in
9 which the court is located.

10 (i) In addition to the reimbursement fee authorized by
11 Subsection (h), the court may require a defendant who requests a
12 hunter education course to pay a \$10 reimbursement fee to cover the
13 course provider's cost for performing duties under this section.
14 The court shall pay the fee to the course provider, and the course
15 provider must account to the court for the receipt and disbursal of
16 the fee.

17 (j) A defendant who pays a fee under Subsection (h) or (i) is
18 not entitled to a refund of the fee, regardless of whether the
19 defendant successfully completes the hunter education course.

20 (k) A court may not require an indigent defendant for whom
21 proceedings are deferred under this section to pay a reimbursement
22 fee described by this section.

23 SECTION 2. The change in law made by this Act applies only
24 to an offense committed on or after the effective date of this Act.
25 An offense committed before the effective date of this Act is
26 governed by the law in effect on the date the offense was committed,
27 and the former law is continued in effect for that purpose. For

H.B. No. 654

1 purposes of this section, an offense was committed before the
2 effective date of this Act if any element of the offense occurred
3 before that date.

4 SECTION 3. This Act takes effect September 1, 2025.