

By: Virdell

H.B. No. 1379

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of a game warden or other peace officer
3 commissioned by the Parks and Wildlife Department to enter private
4 property.

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

6 SECTION 1. Section 12.103, Parks and Wildlife Code, is
7 amended by amending Subsection (a) and adding Subsection (a-1) to
8 read as follows:

9 (a) Except as provided by Subsection (a-1), to ~~to~~ enforce
10 the game and fish laws of the state and to conduct scientific
11 investigations and research regarding wild game or fish, an
12 authorized employee of the department may enter on any land or water
13 where wild game or fish are known to range or stray. No action may be
14 sustained against an employee of the department to prevent the
15 employee from ~~his~~ entering on land or water when acting in the
16 employee's ~~his~~ official capacity as described by this subsection.

17 (a-1) The commission by rule shall prohibit a game warden or
18 other peace officer commissioned by the department from entering
19 private property unless the game warden or peace officer:

20 (1) has obtained the permission of the property owner;

21 (2) has probable cause of a criminal offense committed
22 or being committed on the property;

23 (3) is executing a warrant or other court order;

24 (4) determines an emergency exists constituting a

1 danger to the public health, safety, or general welfare; or
2 (5) is acting under another state or federal law
3 exception to the warrant requirement.

4 SECTION 2. The change in law made by this Act applies only
5 to a game warden or other peace officer commissioned by the Texas
6 Parks and Wildlife Department entering private property on or after
7 the effective date of this Act. A game warden or other peace officer
8 commissioned by the Texas Parks and Wildlife Department entering
9 private property before the effective date of this Act is covered by
10 the law in effect on the entrance date, and the former law is
11 continued in effect for that purpose.

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