

By: Zwiener

H.B. No. 2842

A BILL TO BE ENTITLED

AN ACT

relating to the control by lethal means of white-tailed deer in certain areas.

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

SECTION 1. Section 43.151, Parks and Wildlife Code, is amended to read as follows:

Sec. 43.151. THREATS TO PUBLIC SAFETY OR DAMAGE BY WILDLIFE; NOTICE OF WHITE-TAILED DEER POPULATION CONTROL IN CERTAIN AREAS. (a) A person who has evidence clearly showing that wildlife protected by this code is causing serious damage to commercial agricultural, horticultural, or aquicultural interests, or is a threat to public safety, and who desires to kill the protected wildlife shall give written notice of the facts to the department.

(b) A political subdivision, a state agency, a federal agency, an institution of higher education, or a property owners' association as defined by Section 202.001, Property Code, that desires to control by lethal means a white-tailed deer population shall submit to the department written notice of evidence demonstrating:

(1) the use of lethal means is necessary to prevent the deer from damaging the habitat of one or more species listed by the United States Department of the Interior or an agency of this state as endangered or threatened; or

1           (2) the entity is experiencing an overpopulation of  
2 deer on property the entity owns or manages and recreational  
3 hunting is not feasible for controlling the deer population.

4           SECTION 2. Section 43.1515, Parks and Wildlife Code, is  
5 amended to read as follows:

6           Sec. 43.1515. RULES. The commission may adopt rules to  
7 implement this subchapter, including rules governing:

8           (1) reports that must be submitted to the department  
9 by a person who holds a permit issued by the department under this  
10 subchapter;

11           (2) the reinstatement of a canceled permit and a fee  
12 for the reinstatement;

13           (3) the possession of wildlife resources taken or held  
14 under this subchapter;

15           (4) the circumstances required to qualify for a  
16 permit; ~~and~~

17           (5) the electronic issuance of permits; and

18           (6) the means, methods, times, and locations of  
19 killing protected wildlife.

20           SECTION 3. Section 43.152, Parks and Wildlife Code, is  
21 amended to read as follows:

22           Sec. 43.152. DEPARTMENT INSPECTION. (a) On receiving  
23 notice from a person under Section 43.151(a) [~~43.151~~], the  
24 department may inspect the property and determine if damage or a  
25 threat to public safety is occurring as alleged in the notice.

26           (b) If the notice received by the department under Section  
27 43.151(a) [~~43.151~~] alleges damage or a threat to public safety

1 caused by mule deer, pronghorn antelope, or desert bighorn sheep,  
2 the department may not issue a permit under Section 43.154 unless  
3 the department inspects the property and determines whether serious  
4 damage or a threat to public safety is occurring.

5 (c) On receiving notice from an entity under Section  
6 43.151(b), the department may inspect the habitat or property  
7 referenced in the notice to:

8 (1) assess deer management plans in the habitat  
9 relating to one or more species listed by the United States  
10 Department of the Interior or an agency of this state as endangered  
11 or threatened; or

12 (2) determine whether the entity is experiencing an  
13 overpopulation of white-tailed deer on the entity's property and  
14 whether recreational hunting for controlling the deer population is  
15 feasible.

16 SECTION 4. Sections 43.153(a) and (b), Parks and Wildlife  
17 Code, are amended to read as follows:

18 (a) A person described by Section 43.151(a) or an authorized  
19 representative of an entity described by Section 43.151(b) [~~who has~~  
20 ~~evidence of damage by depredation or threat to public safety~~] may  
21 file with the department an application for a permit to kill the  
22 protected wildlife.

23 (b) The application must be in writing, be sworn to by the  
24 applicant, and contain:

25 (1) a statement of facts relating to, as applicable:

26 (A) the damage or threat;

27 (B) the feasibility of recreational hunting; or

1                    (C) the need to control overpopulation to prevent  
2 damage to the habitat of one or more species listed by the United  
3 States Department of the Interior or an agency of this state as  
4 endangered or threatened; and

5                    (2) an agreement by the applicant to comply with the  
6 provisions of this subchapter and any rules adopted by the  
7 commission under this subchapter.

8                    SECTION 5. Section 62.006, Parks and Wildlife Code, is  
9 amended by adding Subsection (c) to read as follows:

10                   (c) This section does not apply to:

11                    (1) an entity described by Section 43.151(b) that  
12 employs a person for compensation or promise of compensation to  
13 control by lethal means white-tailed deer as authorized under a  
14 permit issued under Subchapter H, Chapter 43; or

15                    (2) a person employed as described by Subdivision (1).

16                    SECTION 6. This Act takes effect September 1, 2025.