

By: Curry

H.B. No. 3831

A BILL TO BE ENTITLED

AN ACT

relating to the identification of breeder deer.

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

SECTION 1. Sections 43.3561(b), (f), (g), (h), and (j), Parks and Wildlife Code, are amended to read as follows:

(b) Not later than March 31 of the year following the year in which a breeder deer is born, the breeder deer must be identified by[÷

~~[(1) attaching an identification tag to the pinna of either ear of the breeder deer in a manner so that the face of the tag is clearly visible on the anterior side of the ear; and~~

~~[(2)]~~ applying a single electronic identification device in accordance with Subsection (f).

(f) An electronic identification device applied under Subsection (b) ~~[(b)(2)]~~ must be approved by the United States Department of Agriculture and have an associated 15-digit animal identification number that begins with 840. If the electronic identification device is a button tag, the button tag must be attached to the pinna of either ear of the breeder deer. If the electronic identification device is an implant, the implant may not be implanted in edible muscle. No person may remove an electronic identification device except as necessary to comply with Subsection (h).

(g) The department shall create and maintain a database

1 containing electronic identification device numbers entered by  
2 deer breeders. An electronic identification device ~~[applied under~~  
3 ~~Subsection (b)(2)]~~ is valid for purposes of Subsection (b) only if  
4 the number associated with the device has been entered into the  
5 department database and corresponds with the unique identifier  
6 assigned to the breeder deer to or in which the device is attached  
7 or implanted. In making a determination to destroy a deer under  
8 Section 43.953, the department shall consider an electronic  
9 identification device that meets the requirements of this section  
10 as evidence of positive identification for a breeder deer that  
11 cannot be identified by ~~[either]~~ the ~~[identification tag or]~~ tattoo  
12 required by Subsection ~~[(b) or]~~ (j), provided that the deer breeder  
13 entered the electronic identification device number into the  
14 database before the identity of the breeder deer was in question as  
15 determined by the department.

16 (h) A deer breeder immediately shall replace an electronic  
17 identification device ~~[tag]~~ that has been dislodged, damaged, or  
18 removed by means other than human agency to the extent that the  
19 device ~~[identification tag]~~ does not meet the requirements of  
20 Subsections (b) and (f) ~~[(c)]~~ with another electronic  
21 identification device ~~[tag]~~ that meets the requirements of  
22 Subsections (b) and (f) ~~[(c), except that a deer breeder may create~~  
23 ~~and attach a replacement identification tag. A replacement~~  
24 ~~identification tag must:~~

25 ~~[(1) be clearly visible,~~  
26 ~~[(2) have legible text written with a tag pen~~  
27 ~~manufactured for use with the tag, and~~

1           ~~[(3) meet the requirements of Subsections (b)(1) and~~  
2 ~~(c), except for the requirement that the text be placed on the tag~~  
3 ~~by the manufacturer].~~

4           (j) A person may not remove or knowingly permit the removal  
5 of a breeder deer held in a facility by a permittee under this  
6 subchapter unless the breeder deer has been identified by applying  
7 a tattoo to the inner portion of either ear of the deer that:

8           (1) is made with commercially available #300 or 5/16  
9 inch tattoo letters and numbers;

10          (2) is legible, permanent, and green or black; and

11          (3) bears the same unique identifier associated with  
12 the electronic identification device under Subsection (g) ~~[printed~~  
13 ~~on the identification tag attached to the deer under Subsection~~  
14 ~~(c)].~~

15          SECTION 2. The following provisions of the Parks and  
16 Wildlife Code are repealed:

17           (1) Sections 43.3561(a)(1) and (3); and

18           (2) Sections 43.3561(c), (d), (e), and (i).

19          SECTION 3. The changes in law made by this Act to Section  
20 43.3561, Parks and Wildlife Code, apply only to a breeder deer born  
21 on or after the effective date of this Act. A breeder deer born  
22 before the effective date of this Act is governed by the law in  
23 effect on the date the breeder deer was born, and the former law is  
24 continued in effect for that purpose.

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