

By: Curry

H.B. No. 4938

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the abolishment of the Parks and Wildlife Department  
3 and the Parks and Wildlife Commission and the transfer of their  
4 functions to the General Land Office, Department of Agriculture,  
5 and Department of Public Safety.

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

7 SECTION 1. The heading to Subchapter A, Chapter 1, Parks and  
8 Wildlife Code, is amended to read as follows:

9 SUBCHAPTER A. REGULATION OF THIS CODE [~~PURPOSE AND POLICY~~]

10 SECTION 2. Subchapter A, Chapter 1, Parks and Wildlife  
11 Code, is amended by adding Sections 1.003, 1.004, and 1.005 to read  
12 as follows:

13 Sec. 1.003. REGULATING ENTITIES. Subject to the memorandum  
14 of understanding entered into under Section 1.004, the powers,  
15 duties, and functions of the former Parks and Wildlife Department  
16 and former Parks and Wildlife Commission are transferred to the  
17 General Land Office, Department of Agriculture, and Department of  
18 Public Safety and their applicable commissioner or governing body  
19 as follows:

20 (1) the General Land Office shall administer the  
21 provisions of this code, including Chapters 13 and 14, Title 3, and  
22 Subtitles E, F, and I, Title 5, relating to the regulation of parks,  
23 natural areas, wildlife management areas, fish hatcheries,  
24 historic sites, or other public land, including any bodies of

1 water, formerly under the jurisdiction of the Parks and Wildlife  
2 Department;

3 (2) the Department of Agriculture shall administer the  
4 provisions of this code, including Subtitles A, B, C, D, G, and H,  
5 Title 5, and Title 6, relating to native plants, wildlife, or the  
6 conservation or management of native plants or wildlife, including  
7 hunting and fishing; and

8 (3) the Department of Public Safety shall administer  
9 the provisions of this code, including Title 4, relating to the  
10 enforcement of this code, game wardens, or water safety, including:

11 (A) the operation of vessels, other than  
12 commercial fishing provisions under Title 5 relating to vessels;

13 (B) equipment for vessels; and

14 (C) the identification, numbering, and titling  
15 of vessels.

16 Sec. 1.004. MEMORANDUM OF UNDERSTANDING. (a) The General  
17 Land Office, Department of Agriculture, and Department of Public  
18 Safety shall enter into a memorandum of understanding regarding the  
19 transfer of the powers, duties, and functions from the former Parks  
20 and Wildlife Department and former Parks and Wildlife Commission to  
21 each entity under Section 1.003.

22 (b) The memorandum of understanding must:

23 (1) identify in detail the applicable powers, duties,  
24 and functions of each entity under this code and the specific  
25 provisions of this code administered by each entity; and

26 (2) ensure that each power, duty, and function of the  
27 former Parks and Wildlife Department and former Parks and Wildlife

1 Commission is assumed among the entities.

2 (c) The General Land Office, Department of Agriculture, and  
3 Department of Public Safety may revise the memorandum of  
4 understanding as necessary to administer each entity's powers,  
5 duties, and functions under this code.

6 Sec. 1.005. REFERENCES IN LAW TO FORMER PARKS AND WILDLIFE  
7 DEPARTMENT OR FORMER PARKS AND WILDLIFE COMMISSION. A reference in  
8 any law to the Parks and Wildlife Department or the Parks and  
9 Wildlife Commission means the appropriate entity transferred  
10 regulatory authority under Section 1.003 and in accordance with the  
11 memorandum of understanding entered into under Section 1.004.

12 SECTION 3. Sections 11.002, 11.011, 11.0111, 11.012,  
13 11.0121, 11.0122, 11.0123, 11.0124, 11.0125, 11.0126, 11.013,  
14 11.014, 11.015, 11.0151, 11.016, 11.0161, 11.0162, 11.0163,  
15 11.0164, 11.0165, 11.017, 11.018, 11.0182, 11.0183, 11.021,  
16 11.022, 11.023, and 11.024, Parks and Wildlife Code, are repealed.

17 SECTION 4. (a) Effective September 1, 2027:

18 (1) the powers, duties, and functions of the Parks and  
19 Wildlife Department and Parks and Wildlife Commission are  
20 transferred to the General Land Office, Department of Agriculture,  
21 and Department of Public Safety and their applicable commissioner  
22 or governing body in accordance with this Act;

23 (2) all rules of the Parks and Wildlife Commission are  
24 continued in effect as rules of the appropriate entity described by  
25 Subdivision (1) of this subsection in accordance with this Act  
26 until superseded by a rule of the entity;

27 (3) a form, policy, procedure, or decision of the

1 Parks and Wildlife Department or Parks and Wildlife Commission is  
2 continued in effect as a form, policy, procedure, or decision of the  
3 appropriate entity described by Subdivision (1) of this subsection  
4 in accordance with this Act until superseded by a rule of the  
5 entity;

6 (4) an employee of the Parks and Wildlife Department  
7 or Parks and Wildlife Commission becomes an employee of the  
8 appropriate entity described by Subdivision (1) of this subsection  
9 in accordance with this Act;

10 (5) all money, contracts, rights, property, and  
11 records of the Parks and Wildlife Department and Parks and Wildlife  
12 Commission are transferred to the appropriate entity described by  
13 Subdivision (1) of this subsection in accordance with this Act; and

14 (6) the unobligated and unexpended balance of any  
15 appropriations made to the Parks and Wildlife Department and Parks  
16 and Wildlife Commission is transferred to the appropriate entity  
17 described by Subdivision (1) of this subsection in accordance with  
18 this Act.

19 (b) A license, permit, or other authorization issued by the  
20 Parks and Wildlife Department is continued in effect as provided by  
21 the law in effect immediately before the effective date of this Act.  
22 A complaint, investigation, or other proceeding relating to a  
23 license, permit, or other authorization issued by the Parks and  
24 Wildlife Department that is pending on the effective date of this  
25 Act is continued without change in status after the effective date  
26 of this Act. An activity conducted by the Parks and Wildlife  
27 Department relating to a license, permit, or other authorization

1 issued by the Parks and Wildlife Department is considered to be an  
2 activity conducted by the appropriate entity described by  
3 Subsection (a)(1) of this section in accordance with this Act.

4 (c) The Parks and Wildlife Department and Parks and Wildlife  
5 Commission shall continue, as necessary, to perform the duties and  
6 functions being transferred to the appropriate entity described by  
7 Subsection (a)(1) of this section in accordance with this Act until  
8 the transfer of agency powers, duties, and functions is complete.

9 (d) The Parks and Wildlife Department and Parks and Wildlife  
10 Commission and the General Land Office, Department of Agriculture,  
11 and Department of Public Safety shall enter into a memorandum of  
12 understanding as necessary to effect the transfer of powers,  
13 duties, and functions under this Act.

14 SECTION 5. The Texas Legislative Council shall prepare for  
15 consideration by the 90th Legislature a nonsubstantive revision of  
16 the Texas codes and revised statutes that:

17 (1) changes each reference to the "Parks and Wildlife  
18 Department" and "Parks and Wildlife Commission" to the appropriate  
19 entity described by Section 4(a)(1) of this Act; and

20 (2) makes other nonsubstantive revisions as necessary  
21 to conform to the changes in law made by this Act.

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