

By: Hall

S.B. No. 97

A BILL TO BE ENTITLED

AN ACT

relating to the assessment, destruction, and release of certain deer.

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

SECTION 1. Subchapter L, Chapter 43, Parks and Wildlife Code, is amended by adding Section 43.3635 to read as follows:

Sec. 43.3635. RELEASE OF BREEDER DEER AFTER NEGATIVE TEST RESULT. Notwithstanding any other provision of this chapter, a breeder deer for which a negative test result is obtained during an epidemiological assessment conducted under Section 43.953(a) may be released onto a release site in accordance with Section 43.361 at any time on or before the 14th day after the date of the negative test result.

SECTION 2. Section 43.953(a), Parks and Wildlife Code, is amended to read as follows:

(a) Before any deer may be destroyed under this subchapter:

(1) an agent of the animal health commission:

(A) shall [may] conduct an epidemiological assessment of the deer considered for destruction; and

(B) must obtain a positive test result from the deer using the least intrusive test feasible, provided that the test:

(i) may not be performed on tonsillar tissue; and

1 (ii) must be conducted at the site where the
2 deer would be destroyed[+]

3 [~~(A) if the assessment can be conducted in a~~
4 ~~timely manner; and~~

5 [~~(B) contingent on the availability of funding~~];
6 and

7 (2) the department must consider the results of the
8 ~~[an]~~ assessment~~[, if]~~ conducted~~[,]~~ under Subdivision (1).

9 SECTION 3. Section 43.954(b), Parks and Wildlife Code, is
10 amended to read as follows:

11 (b) A notice provided under this section must be sent by
12 certified mail to the last known address of the permit holder and
13 must contain:

14 (1) the date of destruction, which may not be sooner
15 than the 10th day after the date of the notice;

16 (2) an explanation of any access restrictions imposed
17 on the facility or acreage covered by the permit during the
18 destruction of the deer; and

19 (3) an explanation of the reasons for the destruction,
20 including the results of the ~~[any]~~ epidemiological assessment
21 conducted under Section 43.953(a) applicable to the deer that are
22 the subject of the notice.

23 SECTION 4. As soon as practicable after the effective date
24 of this Act, the Parks and Wildlife Commission shall adopt or amend
25 rules as necessary to comply with the changes in law made by this
26 Act.

27 SECTION 5. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2025.