

By: Kolkhorst

S.B. No. 2031

A BILL TO BE ENTITLED

AN ACT

relating to the removal of a fence surrounding a breeder deer release site.

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

SECTION 1. Section 43.361, Parks and Wildlife Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) The owner of land that is or was registered as a release site with the department may remove a fence described by Subsection (a) if:

(1) at least five years have elapsed from the most recent date breeder deer were released on the site;

(2) the owner notifies each adjacent landowner in the form and manner prescribed by the department of the owner's intention to remove the fence;

(3) the site has not more than a trace connection to a facility on which chronic wasting disease has been detected; and

(4) the department certifies that no deer released on the site has been epidemiologically associated with a positive result of a test for chronic wasting disease.

(d) The department may not make the certification described by Subsection (c)(4) unless the department has a confidence level of at least:

(1) 95 percent that chronic wasting disease is not present at greater than five percent prevalence over a testing

period of at least three years, if:

(A) the release site has no connection to a facility on which chronic wasting disease has been detected;

(B) all deer released on the site on or after April 13, 2025, display visible identification allowing for individual identification at a distance; and

(C) the site has complied with all applicable commission rules and department registration and permitting requirements and has not had any violations relating to a permit described by Section 12.601; or

(2) 99 percent that chronic wasting disease is not present at greater than one percent prevalence over a testing period of at least three years, if the release site:

(A) has not more than a trace connection to a facility on which chronic wasting disease has been detected; and

(B) otherwise does not satisfy the requirements of Subdivisions (1)(A)-(C).

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