

By: Perry

S.B. No. 2844

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of deer breeding; creating criminal offenses.

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

SECTION 1. Section 43.360, Parks and Wildlife Code, is amended to read as follows:

Sec. 43.360. ENCLOSURE SIZE. (a) Except as provided by Subsection (b), a [A] single enclosure for breeder deer may not contain more than 20 [100] acres.

(b) A single enclosure for breeder deer may contain not more than 100 acres if:

(1) the deer breeding facility's permit was issued and continuously maintained prior to September 1, 2025; and

(2) the permitted enclosure existed before September 1, 2025.

(c) A single enclosure for breeder deer in a facility described by Subsection (b) may not be expanded to contain more than 20 acres.

SECTION 2. Section 43.365(a), Parks and Wildlife Code, is amended to read as follows:

(a) It is an offense if a deer breeder or another person:

(1) allows the hunting or killing of a breeder deer or any other deer held in captivity in a facility permitted under this subchapter, except as provided by this subchapter or a rule adopted

by the commission under this subchapter; ~~or~~]

(2) knowingly sells, arranges the sale of, purchases, transfers, receives, or attempts to sell, arrange the sale of, purchase, transfer, or receive a live breeder deer in violation of this subchapter or a rule adopted by the commission under this subchapter;

(3) places or holds breeder deer in captivity at any place or in any facility not accounted for in the breeding facility inventory on file with the department as required by commission rule;

(4) fails to report the mortality of a breeder deer as required by commission rule;

(5) fails to submit a disease test sample as required by commission rule;

(6) violates or fails to comply with a disease testing plan issued by the department under commission rule for a deer breeding facility from which breeder deer have escaped;

(7) knowingly possesses a live deer acquired unlawfully;

(8) knowingly and unlawfully imports or attempts to import a deer;

(9) transfers a breeder deer that does not bear the identification required by Section 43.3561 or commission rule;

(10) transfers a breeder deer in violation of a commission rule requiring disease testing; or

(11) knowingly submits a disease test sample taken from a deer other than the breeder deer or deer identified as the

1 deer from which the test sample was taken, unless the deer was
2 misidentified due to a clerical error.

3 SECTION 3. The heading to Section 43.367, Parks and
4 Wildlife Code, is amended to read as follows:

5 Sec. 43.367. PENALTIES [~~PENALTY~~].

6 SECTION 4. Section 43.367, Parks and Wildlife Code, is
7 amended by amending Subsection (a) and adding Subsections (c), (d),
8 (e), (f), and (g) to read as follows:

9 (a) Except as otherwise provided by this section
10 [~~Subsection (b)~~], a person who violates a provision of this
11 subchapter or a regulation of the commission issued under this
12 subchapter or who fails to file a full and complete report as
13 required by Section 43.359 commits an offense that is a Class C
14 Parks and Wildlife Code misdemeanor.

15 (c) A person who violates Section 43.361 or 43.365(a)(3),
16 (4), (5), or (6) commits an offense that is a Class B Parks and
17 Wildlife Code misdemeanor if it is shown on the trial of the offense
18 that the actor has been previously convicted of an offense under
19 this section involving a violation of Section 43.361 or
20 43.365(a)(3), (4), (5), or (6).

21 (d) A person who violates Section 43.365(a)(7) or (8)
22 commits an offense that is a Class B Parks and Wildlife Code
23 misdemeanor.

24 (e) A person who violates Section 43.362 or 43.365(a)(9)
25 commits an offense that is a Class A Parks and Wildlife Code
26 misdemeanor if it is shown on the trial of the offense that the
27 actor has been previously convicted of an offense under this

1 section involving a violation of Section 43.362 or 43.365(a)(9).

2 (f) A person who violates Section 43.365(a)(10) commits an
3 offense that is a Class A Parks and Wildlife Code misdemeanor.

4 (g) A person who violates Section 43.365(a)(11) commits an
5 offense that is a Parks and Wildlife Code state jail felony if it is
6 shown on the trial of the offense that the actor has been previously
7 convicted of an offense under this section involving a violation of
8 Section 43.365(a)(11).

9 SECTION 5. The changes in law made by this Act apply only to
10 an offense committed on or after the effective date of this Act. An
11 offense committed before the effective date of this Act is governed
12 by the law in effect on the date the offense was committed, and the
13 former law is continued in effect for that purpose. For purposes of
14 this section, an offense was committed before the effective date of
15 this Act if any element of the offense occurred before that date.

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