

BILL ANALYSIS

H.B. 2326
By: Frullo
Culture, Recreation & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Parks and Wildlife Department (TPWD) has raised concerns regarding the Burmese python, which until recently was considered a subspecies of the Asiatic rock python regulated in statute. The scientific community has since deemed the Burmese python as a distinct species, therefore leaving it unregulated and endangering native Texas wildlife and ecosystems. There have been calls to include the Burmese python among the snake species regulated in statute, which would allow TPWD to prohibit the release of the snake and all nonindigenous snakes and help to deter illegal and undocumented possession and trade involving the Burmese python. H.B. 2326 seeks to address these issues by including the Burmese python among the snake species regulated in statute.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2326 amends the Parks and Wildlife Code to expand the scope of nonindigenous snake permits to include the following snakes:

- a constrictor that is a Burmese python, *Python bivittatus*; and
- a hybrid of any kind of snake within the permit's scope.

The bill expands the applicability of the prohibition against a person intentionally, knowingly, recklessly, or with criminal negligence releasing or allowing the release from captivity of a snake covered within the scope of nonindigenous snake permits to prohibit that conduct for any type of nonindigenous snake.

H.B. 2326 enhances from a Class C Parks and Wildlife Code misdemeanor to a Class B Parks and Wildlife Code misdemeanor the penalty for a subsequent conviction of the offense involving a violation of provisions governing nonindigenous snake permits or a rule adopted under those provisions if it is shown at the trial that the defendant has engaged in a commercial activity without holding a required permit.

EFFECTIVE DATE

September 1, 2021.