

BILL ANALYSIS

C.S.H.B. 3081
By: Krause
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Several other states have passed laws granting their wildlife departments the authority to develop and implement programs that allow hunters to electronically tag game animals in addition to the use of physical tags. It has been suggested that the Parks and Wildlife Department is looking into developing a similar type of program in Texas and that it would be prudent to provide for the statutory authority to do so. C.S.H.B. 3081 seeks to address this issue by authorizing the Parks and Wildlife Commission to develop and implement a program for the issuance of digital tags for the taking of certain animals.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Parks and Wildlife Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 3081 amends the Parks and Wildlife Code to authorize the Parks and Wildlife Commission by rule to develop and implement a program for the issuance of digital tags for animals, including birds, to holders of hunting licenses authorizing the taking of those animals. The program may include the following:

- providing for the issuance of digital tags to a holder of a hunting license;
- allowing a person using a digital tag to create a digital record at the time of the taking of an animal that includes information required by the Parks and Wildlife Department (TPWD); and
- requiring the person to create the record as soon as possible after the taking of the animal and to retain the record in their possession at all times before the carcass is finally processed.

The bill establishes that a reference under the Parks and Wildlife Code to a tag includes a digital tag issued under a program developed under the bill's provisions unless the context requires otherwise.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3081 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a requirement for TPWD to develop and implement the program for the issuance of digital tags, but includes an authorization instead for the Parks and Wildlife Commission by rule to develop and implement the program.

The substitute does not include specific content requirements for the digital record other than information required by TPWD and does not require that the record be uploaded to TPWD through a mobile application.

The substitute does not include a September 1, 2022, deadline for the commission to adopt rules as necessary to implement the bill's provisions.