

SUBJECT: Trapping and transporting surplus white-tailed deer

COMMITTEE: Culture, Recreation, and Tourism — favorable, without amendment

VOTE: 7 ayes — Guillen, Deshotel, Dukes, T. King, Kuempel, Price, T. Smith
0 nays
2 absent — Elkins, Larson

SENATE VOTE: On final passage, April 7 — 31-0, on Local and Uncontested Calendar

WITNESSES: (*On House companion bill, HB 1025:*)
For — Warren Bluntzer, Texas Deer Association; (*Registered, but did not testify:* Marty Berry; Kirby Brown, Texas Wildlife Association; Elizabeth Choate, Texas Veterinary Medical Association; Marida Favia del Core Borromeo; Karl Kinsel, Texas Deer Association) (*On CSHB 1025, Registered, but did not testify:* Gilbert Adams, Richard Cain, David Hayward, Texas Deer Association)

Against — None

On — Vernon Bevill, Texas Wildlife & Fisheries Management Council; Clayton Wolf, Texas Parks and Wildlife Department

BACKGROUND: Sec. 43.0612 of the Parks and Wildlife Code governs the trapping and transporting of surplus white-tailed deer. Under current law, the Texas Parks and Wildlife Department (TPWD) is authorized to issue permits to a political subdivision or a property owners' association for trapping and transporting surplus white-tailed deer found on the entity's property.

The entity is required to submit an application for a permit within 30 days of the first trapping and transporting of deer. The application must show that an overpopulation of white-tailed deer lives on the entity's property. On all issued permits, TPWD is required to list specific instructions for the location to which deer should be transported. The department can deny a permit if there is no suitable destination for the deer.

Under current law, an authorized entity must make reasonable efforts to ensure that deer are handled safely and humanely. The entity also must make the same efforts to minimize health and safety danger to humans.

Trapping and transporting of white-tail deer can only occur between October 1 of a year and March 31 of the following year. If the deer pose a risk to human health or safety, the permit allows the entity to trap and transport the deer at any time.

Current law specifies that trapping and transporting permits do not give any person the right to take, trap, or possess white-tailed deer on private land without the landowner's written consent.

TPWD currently is not allowed to charge a fee for the trapping and transporting permit. The Parks and Wildlife Commission has the authority to adopt rules setting parameters for permits to include requirements for notification, record-keeping, and disposition of the deer.

DIGEST:

SB 498 would allow qualified individuals, defined as persons who had a wildlife management plan approved by TPWD, to apply for a permit to trap and transport white-tailed deer. Under SB 498, qualified individuals would be included in code provisions regarding the issuance, denial, time periods, and requirements of the permit.

SB 498 would not prohibit a permit holder from taking, trapping, or possessing white-tailed deer on the permit holder's privately owned land.

Under the bill, the commission could adopt rules to set a fee for the permit, which would be charged by TPWD and could not exceed \$300. The commission would be required to adopt rules to determine the circumstances under which a qualified person or entity could obtain a permit.

SB 498 would take effect September 1, 2011.

NOTES:

The companion bill, HB 1025 by Phillips, was considered in a public hearing on March 30 and was reported favorably, as substituted, by the House Culture, Recreation, and Tourism Committee on April 4.