

BILL ANALYSIS

Senate Research Center
78R6711 KCR-D

S.B. 1582
By: Wentworth
Natural Resources
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As Filed

DIGEST AND PURPOSE

Currently, there is an over-population of white-tail deer in urban areas in Texas. This represents a public safety and public health problem for affected political subdivisions and unincorporated urban areas. Deer relocation under the Trapping, Transporting, and Transplanting Program (TTT) is an available option under current law. However, the TTT permit requirement for ranchers and other potential recipients of relocated deer to develop and maintain approved wildlife management plans restricts the relocation of deer from urban areas. As proposed, S.B. 1582 reduces certain requirements and facilitates the ability of affected communities to more effectively control deer populations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 43.061(a) and (g), Parks and Wildlife Code, as follows:

- (a) Makes a conforming change.
- (g) Deletes existing term “subchapter” and replaces it with “section” related to adopting rules for certain content.

SECTION 2. Amends Chapter 43E, Parks and Wildlife Code, by adding Section 43.0612, as follows:

Sec. 43.0612. POLITICAL SUBDIVISION TRAPPING, TRANSPORTING, AND TRANSPLANTING WHITE-TAILED DEER; NO PERMIT OR LICENSE REQUIRED.

(a) Authorizes a political subdivision of this state, without obtaining a permit or license from the department and after submitting the information required under Subsection (b), to authorize the trapping, transporting, and transplanting of white-tailed deer found within the boundaries of the political subdivision.

(b) Requires a political subdivision of this state, not later than 30 days before the first planned trapping, transporting, and transplanting of white-tailed deer authorized by Subsection (a), to send certain information to the Parks and Wildlife Department, by registered or certified mail.

(c) Authorizes a political subdivision to authorize the trapping, transporting, and transplanting of white-tailed deer under Subsection (a) only between October 1 of each year and March 31 of the following year.

(d) Provides that the state is not liable for and is prohibited from incurring any expense for the trapping, transporting, and transplanting of white-tailed deer under this section.

(e) Requires a political subdivision removing white-tailed deer under Subsection

(a) to make reasonable efforts to ensure safe and humane handling of trapped animals and minimization of human health and safety hazards in every phase of the trapping, transporting, and transplanting of white-tailed deer.

(f) Provides that a political subdivision is not entitled to take, trap, or otherwise possess white-tailed deer found on privately owned land, without a landowner's written permission.

(g) Prohibits wildlife management plans and chronic wasting disease testing from being required of a political subdivision trapping, transporting, or transplanting white-tailed deer under this section or of the person, place, political subdivision of this state, or other government entity receiving white-tailed deer trapped, transported, or transplanted under this section.

SECTION 3. Effective date: September 1, 2003.