

## **BILL ANALYSIS**

Senate Research Center  
83R17439 SLB-F

H.B. 2649  
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Agriculture, Rural Affairs, & Homeland Security  
5/9/2013  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Parks and Wildlife Department (TPWD) maintains regulations for fair and humane fishing and hunting practices within the state. To facilitate better wildlife management, TPWD also issues permits for trapping, transporting, and transplanting game animals and game birds. Interested parties note that, under current law, if a permit holder violates a reporting requirement associated with the permit for trapping, transporting, and transplanting a white-tailed deer, the permit holder can be charged with a Class B Parks and Wildlife Code misdemeanor, which is punishable by a maximum \$2,000 fine, jail time, or both. Other deer reporting requirement violations, however, are punishable as Class C misdemeanors, which have a lower maximum fine and no jail time.

H.B. 2649 seeks to enhance uniformity throughout the Parks and Wildlife Code and align the penalties for similar offenses by reducing the punishment for violating certain rules or permit terms under a permit to trap, transport, and transplant certain animals.

H.B. 2649 amends the Parks and Wildlife Code to decrease from a Class B Parks and Wildlife Code misdemeanor to a Class C Parks and Wildlife Code misdemeanor the penalty for violating a rule relating to a reporting requirement for a permit to trap, transport, and transplant game animals and game birds, a permit to trap, transport, and transplant urban white-tailed deer, or a permit to trap, transplant, and process surplus white-tailed deer and the penalty for violating a term of such a permit that relates to a reporting requirement.

H.B. 2649 amends current law relating to the punishment for violating certain rules or permit terms under a permit to trap, transport, and transplant certain animals.

### **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 Section 43.062, Parks and Wildlife Code, as follows:

Sec. 43.062. PENALTY. (a) Creates this subsection from existing text. Provides that, except as provided by Subsection (b), a person who violates any provision of this subchapter (Permits for Trapping, Transporting, and Transplanting Game Animals and Game Birds) or the terms of a permit issued under this subchapter commits an offense that is a Class B Parks and Wildlife code misdemeanor.

(b) Provides that a person commits an offense that is a Class C Parks and Wildlife Code misdemeanor if the person violates a rule relating to a reporting requirement for a permit issued under this subchapter or a term of a permit issued under this subchapter that relates to a reporting requirement.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2013.