

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 880  
By: Uresti  
Agriculture, Water & Rural Affairs  
5/2/2017  
Committee Report (Substituted)

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

During the 17th Century, European expansion and intertribal conflicts led to migrations and dispersal as Kickapoo Tribe bands scattered widely throughout Indiana, Illinois, Missouri, and Texas. The tribe relocated to Eagle Pass, Texas, their primary reservation in the United States. The Kickapoo have primarily lived by hunting, gathering, farming, and migrant farm labor.

The Texas white-tailed deer is integral to the Kickapoo religion. The Kickapoo use the meat and carcass of the deer to conduct daily traditional ceremonies. Current law prevents the Kickapoo from conducting religious and ceremonial rites, as prescribed by Kickapoo religion and tribal custom, because the Kickapoo are not allowed to hunt the deer year-round.

S.B. 880 allows the Texas Parks and Wildlife Department to issue a year-round license to a documented member of the Kickapoo Traditional Tribe of Texas for hunting antlerless white-tailed deer.

The federal government has a list of all the members of the Kickapoo Traditional Tribe of Texas, and the members all carry identification cards that identify them as such. S.B. 880 only affects those people on this list and with these cards. S.B. 880 only affects about 50 to 60 Kickapoo hunters, so the impact will be negligible and very sustainable. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 880 amends current law relating to a documented member of the Kickapoo Traditional Tribe of Texas hunting certain deer.

### **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 42.001(1), Parks and Wildlife Code, to redefine "resident" to include a member of the Kickapoo Traditional Tribe of Texas who possesses documentation of membership sanctioned by the Bureau of Indian Affairs.

SECTION 2. Amends Section 61.021, Parks and Wildlife Code, as follows:

Sec. 61.021. TAKING WILDLIFE RESOURCES PROHIBITED. (a) Creates this subsection from existing text. Creates an exception under Subsection (b).

(b) Authorizes a documented member of the Kickapoo Traditional Tribe of Texas who holds a license under Section 42.002 (Resident License Required; Exemption) to hunt antlerless white-tailed deer for religious ceremonial purposes on any day of the year between one-half hour before sunrise and one-half hour after sunset. Provides that a documented member of the Kickapoo Traditional Tribe of Texas hunting antlerless white-tailed deer under this subsection:

(1) shall comply with all other provisions of this code and proclamations adopted under this code;

(2) shall notify certain entities; and

(3) may not hunt antlerless white-tailed deer outside an open hunting season in a chronic wasting disease containment or surveillance zone, as determined by the Texas Parks and Wildlife Department.

(c) Provides that Subsection (b) applies only to hunting on land that is owned or leased by the Kickapoo Traditional Tribe of Texas and is located in a certain county.

SECTION 3. Amends Section 61.057(a), Parks and Wildlife Code, to create an exception under Section 61.021 and make nonsubstantive changes.

SECTION 4. Effective date: upon passage or September 1, 2017.