

BILL ANALYSIS

Senate Research Center
87R3483 MP-D

H.B. 1728
By: Smithee; Buckley (Perry)
Water, Agriculture & Rural Affairs
4/22/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Amends the Parks and Wildlife Code to authorize the Texas Parks and Wildlife Department (TPWD) to select and cooperate with one or more nonprofit partners that exclusively serve veterans to promote hunting and fishing by those veterans.

The bill requires a selection to be approved by the Texas Parks and Wildlife Commission and defines "veteran" as a person who has served in the United States armed forces.

The bill authorizes a veteran who is a Texas resident and who is served by a selected nonprofit to hunt or fish on one day, respectively, without holding the required license for that activity if accompanied by a representative of the nonprofit partner who holds the appropriate license.

The bill requires the commission by rule to establish the following:

- criteria under which TPWD may select a nonprofit partner; and
- guidelines under which a representative of or a veteran served by a nonprofit partner may engage in the hunting or fishing activities.

H.B. 1728 amends current law relating to partnerships between the Texas Parks and Wildlife Department and nonprofit entities to promote hunting and fishing by certain veterans.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Parks and Wildlife Commission in SECTION 1 (Section 11.208, Parks and Wildlife Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter J, Chapter 11, Parks and Wildlife Code, by adding Section 11.208, as follows:

Sec. 11.208. PARTNERSHIP WITH NONPROFIT SERVING VETERANS. (a) Defines "veteran."

(b) Authorizes the Texas Parks and Wildlife Department (TPWD) to select and cooperate with one or more nonprofit partners that exclusively serve veterans to promote hunting and fishing by those veterans. Requires that a selection under this section be approved by the Texas Parks and Wildlife Commission (TPWC).

(c) Authorizes a veteran who is a resident of Texas and who is served by a nonprofit selected under Subsection (b) to:

(1) hunt on one day without holding a hunting license required under Chapter 42 (General Hunting License) if accompanied by a representative of the nonprofit partner who holds the appropriate license; and

(2) fish on one day without holding a fishing license required under Chapter 46 (Fishing Licenses) if accompanied by a representative of the nonprofit partner who holds the appropriate license.

(d) Requires TPWC by rule to establish criteria under which TPWD is authorized to select a nonprofit partner under this section, and guidelines under which a representative of or a veteran served by a nonprofit partner is authorized to engage in hunting or fishing activities under this section.

SECTION 2. Amends the heading to Section 42.002, Parks and Wildlife Code, to read as follows:

Sec. 42.002. RESIDENT LICENSE REQUIRED; EXEMPTIONS.

SECTION 3. Amends Section 42.002, Parks and Wildlife Code, by amending Subsection (a) and adding Subsection (d), as follows:

(a) Creates an exception as provided by Subsection (d), to the provision that no resident is authorized to hunt any bird or animal in this state without having acquired a hunting license.

(d) Provides that a person who is a resident and who is a veteran of the United States armed forces is not required to have a license issued under this section if the person is acting under Section 11.208 and complying with rules adopted under that section.

SECTION 4. Amends Section 46.002(a), Parks and Wildlife Code, to provide that a license issued under Chapter 46 is not required of a person who is a resident and who is a veteran of the United States armed forces, if the person is acting under Section 11.208 and complying with rules adopted under that section. Makes nonsubstantive changes.

SECTION 5. Effective date: September 1, 2021.