

BILL ANALYSIS

Senate Research Center

S.B. 675
By: Kolkhorst
Water, Agriculture & Rural Affairs
5/25/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Statement of Purpose

To bring state hunting laws in accordance with federal hunting laws to afford veterans a special hunting opportunity.

Background

In March 2019, President Trump signed the John Dingell Jr. Conservation, Management, and Recreation Act of 2019 into law. This legislation expanded waterfowl hunting opportunities for armed forces veterans and active military in the U.S. and allows state wildlife agencies to allow an extra two days of waterfowl hunting opportunities for veterans. Currently under Section 61.058, Parks and Wildlife Code, the Texas Parks and Wildlife Commission (TPWC) does not have the authority to adopt this additional special hunting opportunity (current statute only allows special hunting opportunities for youth). S.B. 675 would allow TPWC to adopt this special hunting opportunity rule and expand hunting opportunities for veterans.

Key Provisions

- Allows TPWC to provide for special open season hunting of certain migratory game birds by veterans and members of the United States armed forces on active duty.

(Original Author's / Sponsor's Statement of Intent)

S.B. 675 amends current law relating to special open season hunting of certain migratory game birds by veterans and members of the United States armed forces on active duty.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Parks and Wildlife Commission in SECTION 2 (Section 61.059, Parks and Wildlife Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 61.058, Parks and Wildlife Code, by adding Subsection (c), as follows:

- (c) Authorizes a special open season provided for by the Texas Parks and Wildlife Commission (TPWC) under Subsection (a) (relating to special open seasons provided to persons under 17 years old) to be combined with a special open season provided for by TPWC under Section 61.059.

SECTION 2. Amends Subchapter C, Chapter 61, Parks and Wildlife Code, by adding Section 61.059, as follows:

- Sec. 61.059. HUNTING OF CERTAIN MIGRATORY GAME BIRDS BY VETERANS AND ACTIVE DUTY ARMED FORCES MEMBERS. (a) Authorizes TPWC to provide for special open seasons during which the taking and possession of ducks, geese,

mergansers, coots, moorhens, and gallinules are restricted to veterans, as defined by 38 U.S.C. Section 101, and members of the armed forces of the United States on active duty, including members of the national guard and reserves on active duty other than for training.

(b) Authorizes a special open season provided for by TPWC under Subsection (a) to be combined with a special open season provided for by TPWC under Section 61.058 (Youth Hunting and Fishing).

(c) Authorizes TPWC by rule to prescribe the proof of veteran or active duty status required of a person to participate in a special open season under this section.

(d) Provides that if TPWC by rule requires that a person participating in a special open season under this section have in the person's immediate possession proof of the person's veteran or active duty status in accordance with commission rule, the rule is required to provide that it is a defense to prosecution under that rule that the person produces in court proof of the person's veteran or active duty status in accordance with TPWC rule.

SECTION 3. Effective date: upon passage or September 1, 2021.