

**SUBJECT:** Prohibiting hunting from public roads or rights-of-way

**COMMITTEE:** Culture, Recreation, and Tourism — committee substitute recommended

**VOTE:** 6 ayes — Hilderbran, Dukes, Homer, Howard, O'Day, Phillips  
0 nays  
1 absent — Kuempel

**WITNESSES:** For — Steve Oleson, Texas Hawking Association; (*Registered, but did not testify*: John Graham, Texas Hawking Association; Sheldon Nicolle, Texas Hawking Association)  
  
Against — Kenneth J. Magnuson, Texas Reptile Association and Dallas Herpetological Society  
  
On — David Sinclair, Texas Parks and Wildlife Department

**BACKGROUND:** Current law allows for the hunting of non-game species on a public road or right-of-way provided the hunter is on foot and not in a vehicle. This can present a safety issue to the public because of the use of hunting equipment such as guns and can be detrimental to populations of animals needed for the survival of other species.  
  
In order for a hobbyist or researcher to become a falconer, a person must undergo an apprenticeship, which includes trapping bird of prey. The most accessible point of capture is along rights-of-way, where birds are accustomed to the presence of people and automobiles. While kennels and cages may be used in trapping a raptor, no hunting equipment is used that could pose a safety threat to the public.

**DIGEST:** CSHB 2414 would prohibit hunting wild animals or birds from a public right-of-way, including a public street, alley, road, berm, ditch, or shoulder, except for the trapping of a raptor for educational or sporting purposes.

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The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.