

BILL ANALYSIS

Senate Research Center

H.B. 1529
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Natural Resources
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Engrossed

DIGEST AND PURPOSE

Currently, a game warden or other peace officer commissioned by the Texas Parks and Wildlife Commission may search hunting and fishing ice chests, bags, vehicles, or other receptacles with consent or probable cause. H.B. 1529 grants a Texas Parks and Wildlife Department officer who observes a person or who has reason to believe a person is or has been engaged in an activity regulated by the code, the legal authority to inspect for compliance with the applicable laws, to include inspection of licenses, devices, wildlife resources, and places where wildlife resources could easily be stored or concealed.

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 Subchapter B, Chapter 12, Parks and Wildlife Code, by adding Section 12.102, as follows:

Sec. 12.102. INSPECTION OF WILDLIFE RESOURCES. (a) Defines “residence,” “temporary residence,” and “wildlife resource.”

(b) Authorizes a game warden or other peace officer commissioned by the Texas Parks and Wildlife Department (TPWD) who observes a person engaged in an activity regulated by this code or under the jurisdiction of the Texas Parks and Wildlife Commission (TPWC) or who reasonably believes that a person is or has been engaged in an activity regulated by this code or under the jurisdiction of TPWC, except as provided by Subsection (d), to inspect certain items.

(c) Authorizes a game warden or other peace officer commissioned by TPWD, except as provided by Subsection (d), to inspect any wildlife resource that has been taken by a person and is in plain view of the game warden or other peace officer.

(d) Provides that nothing in this section authorizes a game warden or other peace officer commissioned by TPWD to conduct a search otherwise authorized by this section in a person’s residence or temporary residence or on a publicly maintained road or another certain way.

SECTION 2. Amends Section 62.029, Parks and Wildlife Code, by adding Subsection (f), to provide that this section does not apply to a private, noncommercial, family-owned cold storage or processing facility.

SECTION 3. Effective date: September 1, 2003.