

BILL ANALYSIS

Senate Research Center
79R10096 KCR-D

H.B. 2555
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Natural Resources
5/2/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current Texas law provides that the Texas Parks and Wildlife Commission (commission) is responsible for protecting game animals in this state from waste and depletion. The commission sets seasons for hunting and approves legal means of capturing game animals. On many occasions, a wild animal is left mortally wounded by a non-hunting incident or is susceptible to contracting a deadly illness. A person who finds such animal, is prohibited from killing the animal because it may be out of season, or because the individual lacks a legal weapon, as classified by the commission.

H.B. 2555 provides a legal defense to the prosecution for a person who acts to show mercy for an animal in these conditions.

RULEMAKING AUTHORITY

Rulemaking authority is expressly given to the Texas Parks and Wildlife Commission in SECTION 1 (Section 61.060, Parks and Wildlife Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 61, Parks and Wildlife Code, by adding Section 61.060, as follows:

Sec. 61.060. DEFENSE TO PROSECUTION: HUMANE DISPATCH OF CERTAIN GAME ANIMALS AND BIRDS. (a) Defines "dispatch," "game animal," and "game bird."

(b) Sets forth situations in which it is a defense to prosecution for a violation of this chapter or of a regulation adopted or a proclamation issued under the authority of this chapter by the Texas Parks and Wildlife Commission (commission) that the actor dispatched a game animal or game bird.

(c) Authorizes the commission to adopt rules to implement this section, including those concerning the disposition of a game animal or a game bird that has been dispatched under this section.

SECTION 2. Effective date: upon passage or September 1, 2005.