

## CHAPTER 635

## H.B. No. 1417

## AN ACT

relating to hunting, wildlife management, and wildlife management areas.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter B, Chapter 11, Parks and Wildlife Code, is amended by adding Section 11.0271 to read as follows:

*Sec. 11.0271. PUBLIC HUNTING DRAWING; FEES. The department may conduct public drawings to select applicants for public hunting privileges. The department may charge each person who participates in the drawing a nonrefundable participation fee in addition to any fee for issuing a hunting permit or license. The participation fee shall be set by the commission in an amount sufficient to pay the costs of operating the drawing.*

SECTION 2. Section 42.018, Parks and Wildlife Code, is amended by adding Subsection (c) to read as follows:

*(c) A landowner or his agent operating under a wildlife management plan approved by the department is exempt from the tag requirements of this section.*

SECTION 3. Section 42.022, Parks and Wildlife Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

*(c) This section does not apply to the acquisition and possession by a nonresident of more than one nonresident hunting license if the nonresident does not acquire or possess during a license year:*

*(1) more than one nonresident:*

*(A) general hunting license; or*

*(B) spring turkey hunting license; or*

*(2) both a nonresident general hunting license and a nonresident spring turkey hunting license [if no more than one nonresident general hunting license is acquired or possessed].*

*(d) For purposes of this section, a license year begins September 1 and extends through August 31 of the next year.*

SECTION 4. Subchapter D, Chapter 43, Parks and Wildlife Code, is amended by adding Section 43.0432 to read as follows:

*Sec. 43.0432. WILDLIFE MANAGEMENT ASSOCIATION AREA HUNTING LEASE LICENSES. (a) The owner of a tract of land included in a wildlife management association area under Section 81.301 of this code may apply for a wildlife management association area hunting lease license for that tract of land.*

*(b) A wildlife management association area hunting lease license applies only to the tract of land for which it is issued.*

*(c) Except as inconsistent with this section, this subchapter applies to a wildlife management association area hunting lease license in the same manner that it applies to a hunting lease license.*

SECTION 5. Section 43.044, Parks and Wildlife Code, is amended by adding Subsection (c) to read as follows:

*(c) The fee for a wildlife management association area hunting lease license is:*

*(1) \$30 + \$5 per participating landowner if the area of the wildlife management association is less than 10,000 acres;*

*(2) \$60 + \$5 per participating landowner if the area of the wildlife management association is between 10,000 and 50,000 acres; and*

*(3) \$120 + \$5 per participating landowner if the area of the wildlife management association is over 50,000 acres.*

SECTION 6. Sections 71.001(1) and (10), Parks and Wildlife Code, are amended to read as follows:

(1) "Fur-bearing animal" means wild beaver, otter, mink, ring-tailed cat, badger, skunk, raccoon, muskrat, opossum, fox, [weasel,] nutria, or civet cat.

(10) "Depredation" means the loss of or damage to agricultural crops, livestock, poultry, wildlife, or personal property.

SECTION 7. Section 71.005, Parks and Wildlife Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) *Except as provided by this section and Section 71.004(a), no [No] person may take a fur-bearing animal or a pelt in this state unless the person [he] has acquired and possesses a trapper's [trapping] license.*

(d) *A person who possesses a hunting license and is engaged in a lawful hunting activity for any species other than fur-bearing animals may take and possess a fur-bearing animal if:*

(1) *neither the fur-bearing animal nor any part of that animal is taken for the purpose of sale, barter, or exchange; and*

(2) *the number of fur-bearing animals taken does not exceed the daily bag limit or possession limit set by commission regulation.*

SECTION 8. Chapter 81, Parks and Wildlife Code, is amended by adding Subchapter D to read as follows:

#### SUBCHAPTER D. WILDLIFE MANAGEMENT ASSOCIATION AREAS

*Sec. 81.301. WILDLIFE MANAGEMENT ASSOCIATION AREAS. (a) The department may designate two or more contiguous or proximate tracts of land as a wildlife management association area if:*

(1) *each owner of the land applies for the designation;*

(2) *the land is inhabited by wildlife;*

(3) *the department determines that observing wildlife and collecting information on the wildlife will serve the purpose of wildlife management in the state; and*

(4) *the landowners agree to provide the department with information regarding the wildlife under Section 81.302 of this code.*

(b) *The department shall prescribe the form and content of an application under this section.*

*Sec. 81.302. WILDLIFE MANAGEMENT PLAN; COLLECTION OF INFORMATION. (a) Before the department may approve an application for designation of a wildlife management association area under this subchapter, the applicants must prepare a wildlife management plan according to department guidelines for wildlife management plans.*

(b) *The department's guidelines shall require the collection of information on the wildlife that is in a wildlife management association area.*

(c) *Activities prescribed in the wildlife management plan must be conducted annually to maintain the designation of a wildlife management association.*

*Sec. 81.303. RULES. The commission may adopt rules necessary to implement this subchapter.*

SECTION 9. Chapter 47, Penal Code, is amended by adding Section 47.111 to read as follows:

*Sec. 47.111. PUBLIC HUNTING DRAWING. It is an exception to the application of this chapter that the person's conduct was authorized under Section 11.0271, Parks and Wildlife Code.*

SECTION 10. This Act takes effect September 1, 1993.

SECTION 11. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 11, 1993, by a non-record vote; passed by the Senate on May 30, 1993, by a viva-voce vote.

Approved June 12, 1993.

Effective Sept. 1, 1993.