

CHAPTER 607

H.B. No. 1210

AN ACT

relating to taking, possessing, selling, or transporting certain endangered species.

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

SECTION 1. Section 44.006, Parks and Wildlife Code, is amended to read as follows:

Sec. 44.006. LICENSE PRIVILEGES. The holder of a valid game breeder's license may:

- (1) engage in the business of game breeding in the immediate locality for which the license was issued;
- (2) sell or hold in captivity for the purpose of propagation or sale antelope, ~~black bear,~~ collared peccary, and wild squirrels; and
- (3) sell or hold in captivity for the purpose of propagation or sale, elk in any county in which elk is a game animal.

SECTION 2. Section 68.006, Parks and Wildlife Code, is amended to read as follows:

Sec. 68.006. PERMIT FOR TAKING ENDANGERED SPECIES. The provisions of Subchapter C, Chapter 43, of this code are applicable to all fish or wildlife classified as endangered, and it is a violation of this chapter to possess, take, or transport endangered fish or wildlife for zoological gardens or scientific purposes or to take or transport endangered fish or wildlife from their natural habitat for propagation for commercial purposes without the permit required by Section 43.022 of this code ~~[or a federal permit].~~

SECTION 3. Sections 68.015(a) and (b), Parks and Wildlife Code, are amended to read as follows:

(a) No person may possess, sell, distribute, or offer or advertise for sale endangered fish or wildlife unless the fish or wildlife have been lawfully born and raised in captivity for commercial purposes under the provisions of this chapter ~~[or federal law].~~

(b) No person may possess, sell, distribute, or offer or advertise for sale any goods made from endangered fish or wildlife unless:

- (1) the goods were made from fish or wildlife that were born and raised in captivity for commercial purposes under the provisions of this chapter ~~[or federal law];~~ or
- (2) the goods were made from fish or wildlife lawfully taken in another state and the person presents documented evidence to the department to substantiate that fact.

SECTION 4. Section 68.020(a), Parks and Wildlife Code, is amended to read as follows:

(a) This chapter does not apply to:

- (1) coyotes (prairie wolves);
- (2) cougars;
- (3) bobcats;
- (4) prairie dogs; or
- (5) red foxes; ~~or~~

~~[(6) animals, fish, or fowl that are privately owned or to the management or taking of privately owned animals, fish, or fowl by the private owners].~~

SECTION 5. This Act takes effect September 1, 1987.

SECTION 6. 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 8, 1987, by a non-record vote. Passed by the Senate on May 25, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective Sept. 1, 1987.