

By: Garza

H.B. No. 2159

Substitute the following for H.B. No. 2159:

By: Phillips

C.S.H.B. No. 2159

A BILL TO BE ENTITLED

1

AN ACT

2 relating to a documented member of the Kickapoo Traditional Tribe
3 of Texas hunting certain deer.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 42.001(1), Parks and Wildlife Code, is
6 amended to read as follows:

7 (1) "Resident" means:

8 (A) an individual who has resided continuously in
9 this state for more than six months immediately before applying for
10 a hunting license;

11 (B) a member of the United States armed forces on
12 active duty;

13 (C) a dependent of a member of the United States
14 armed forces on active duty; [~~or~~]

15 (D) a member of any other category of individuals
16 that the commission by regulation designates as residents; or

17 (E) a member of the Kickapoo Traditional Tribe of
18 Texas who possesses documentation of membership issued by the
19 Bureau of Indian Affairs.

20 SECTION 2. Section 61.021, Parks and Wildlife Code, is
21 amended to read as follows:

22 Sec. 61.021. TAKING WILDLIFE RESOURCES PROHIBITED. (a)
23 Except as provided by Subsection (b) or permitted under a
24 proclamation issued by the commission under this chapter, no person

1 may hunt, catch, or possess a game bird or game animal, fish, marine
2 animal, or other aquatic life at any time or in any place covered by
3 this chapter.

4 (b) A documented member of the Kickapoo Traditional Tribe of
5 Texas who holds a license under Section 42.002 may hunt antlerless
6 white-tailed deer for religious ceremonial purposes on any day of
7 the year between one-half hour before sunrise and one-half hour
8 after sunset. A documented member of the Kickapoo Traditional
9 Tribe of Texas hunting antlerless white-tailed deer under this
10 subsection shall:

11 (1) comply with all other provisions of this code and
12 proclamations adopted under this code; and

13 (2) notify a local game warden, deputy game warden, or
14 special game warden at least 24 hours before hunting antlerless
15 white-tailed deer at a time of the year when a person who holds a
16 license under Section 42.002 but who is not a documented member of
17 the Kickapoo Traditional Tribe of Texas may not hunt antlerless
18 white-tailed deer.

19 SECTION 3. Section 61.057(a), Parks and Wildlife Code, is
20 amended to read as follows:

21 (a) Except as provided by Section 61.021 and ~~[in]~~ Subsection
22 (c) ~~[of this section]~~, no person may hunt an antlerless deer or
23 antelope in this state without first having acquired an antlerless
24 deer or antelope permit issued by the department on a form provided
25 by the department.

26 SECTION 4. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2003.