

1-1 By: Garza, et al. (Senate Sponsor - Madla) H.B. No. 2159
1-2 (In the Senate - Received from the House May 6, 2003;
1-3 May 8, 2003, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 21, 2003, reported favorably by
1-5 the following vote: Yeas 3, Nays 0, 1 present not voting;
1-6 May 21, 2003, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to a documented member of the Kickapoo Traditional Tribe
1-10 of Texas hunting certain deer.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 42.001(1), Parks and Wildlife Code, is
1-13 amended to read as follows:

1-14 (1) "Resident" means:

1-15 (A) an individual who has resided continuously in
1-16 this state for more than six months immediately before applying for
1-17 a hunting license;

1-18 (B) a member of the United States armed forces on
1-19 active duty;

1-20 (C) a dependent of a member of the United States
1-21 armed forces on active duty; [~~or~~]

1-22 (D) a member of any other category of individuals
1-23 that the commission by regulation designates as residents; or

1-24 (E) a member of the Kickapoo Traditional Tribe of
1-25 Texas who possesses documentation of membership sanctioned by the
1-26 Bureau of Indian Affairs.

1-27 SECTION 2. Section 61.021, Parks and Wildlife Code, is
1-28 amended to read as follows:

1-29 Sec. 61.021. TAKING WILDLIFE RESOURCES PROHIBITED. (a)
1-30 Except as provided by Subsection (b) or permitted under a
1-31 proclamation issued by the commission under this chapter, no person
1-32 may hunt, catch, or possess a game bird or game animal, fish, marine
1-33 animal, or other aquatic life at any time or in any place covered by
1-34 this chapter.

1-35 (b) A documented member of the Kickapoo Traditional Tribe of
1-36 Texas who holds a license under Section 42.002 may hunt antlerless
1-37 white-tailed deer for religious ceremonial purposes on any day of
1-38 the year between one-half hour before sunrise and one-half hour
1-39 after sunset. A documented member of the Kickapoo Traditional
1-40 Tribe of Texas hunting antlerless white-tailed deer under this
1-41 subsection shall:

1-42 (1) comply with all other provisions of this code and
1-43 proclamations adopted under this code; and

1-44 (2) notify a local game warden, deputy game warden, or
1-45 special game warden at least 24 hours before hunting antlerless
1-46 white-tailed deer at a time of the year when a person who holds a
1-47 license under Section 42.002 but who is not a documented member of
1-48 the Kickapoo Traditional Tribe of Texas may not hunt antlerless
1-49 white-tailed deer.

1-50 SECTION 3. Section 61.057(a), Parks and Wildlife Code, is
1-51 amended to read as follows:

1-52 (a) Except as provided by Section 61.021 and [~~in~~]

1-53 (c) [~~of this section~~], no person may hunt an antlerless deer or
1-54 antelope in this state without first having acquired an antlerless
1-55 deer or antelope permit issued by the department on a form provided
1-56 by the department.

1-57 SECTION 4. This Act takes effect immediately if it receives
1-58 a vote of two-thirds of all the members elected to each house, as
1-59 provided by Section 39, Article III, Texas Constitution. If this
1-60 Act does not receive the vote necessary for immediate effect, this
1-61 Act takes effect September 1, 2003.

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