

1-1 By: Smithee, Buckley (Senate Sponsor - Perry) H.B. No. 1728  
 1-2 (In the Senate - Received from the House April 14, 2021;  
 1-3 April 19, 2021, read first time and referred to Committee on Water,  
 1-4 Agriculture & Rural Affairs; May 4, 2021, reported favorably by the  
 1-5 following vote: Yeas 7, Nays 0; May 4, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to partnerships between the Texas Parks and Wildlife  
 1-20 Department and nonprofit entities to promote hunting and fishing by  
 1-21 certain veterans.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter J, Chapter 11, Parks and Wildlife  
 1-24 Code, is amended by adding Section 11.208 to read as follows:

1-25 Sec. 11.208. PARTNERSHIP WITH NONPROFIT SERVING VETERANS.

1-26 (a) In this section, "veteran" means a person who has served in the  
 1-27 United States armed forces.

1-28 (b) The department may select and cooperate with one or more  
 1-29 nonprofit partners that exclusively serve veterans to promote  
 1-30 hunting and fishing by those veterans. A selection under this  
 1-31 section must be approved by the commission.

1-32 (c) A veteran who is a resident of this state and who is  
 1-33 served by a nonprofit selected under Subsection (b) may:

1-34 (1) hunt on one day without holding a hunting license  
 1-35 required under Chapter 42 if accompanied by a representative of the  
 1-36 nonprofit partner who holds the appropriate license; and

1-37 (2) fish on one day without holding a fishing license  
 1-38 required under Chapter 46 if accompanied by a representative of the  
 1-39 nonprofit partner who holds the appropriate license.

1-40 (d) The commission by rule shall establish:

1-41 (1) criteria under which the department may select a  
 1-42 nonprofit partner under this section; and

1-43 (2) guidelines under which a representative of or a  
 1-44 veteran served by a nonprofit partner may engage in hunting or  
 1-45 fishing activities under this section.

1-46 SECTION 2. The heading to Section 42.002, Parks and  
 1-47 Wildlife Code, is amended to read as follows:

1-48 Sec. 42.002. RESIDENT LICENSE REQUIRED; EXEMPTIONS  
 1-49 [EXEMPTION].

1-50 SECTION 3. Section 42.002, Parks and Wildlife Code, is  
 1-51 amended by amending Subsection (a) and adding Subsection (d) to  
 1-52 read as follows:

1-53 (a) Except as provided by Subsections (b), ~~and~~ (c), and  
 1-54 (d) ~~[of this section]~~, no resident may hunt any bird or animal in  
 1-55 this state without having acquired a hunting license.

1-56 (d) A person who is a resident and who is a veteran of the  
 1-57 United States armed forces is not required to have a license issued  
 1-58 under this section if the person is acting under Section 11.208 and  
 1-59 complying with rules adopted under that section.

1-60 SECTION 4. Section 46.002(a), Parks and Wildlife Code, is  
 1-61 amended to read as follows:

2-1 (a) A license issued under this chapter is not required of a  
2-2 person:  
2-3 (1) who is a resident and whose birth date is before  
2-4 January 1, 1931;  
2-5 (2) who is a nonresident, if the person's birth date is  
2-6 before September 1, 1930, and the person's state of residence  
2-7 grants a similar age exemption to Texas residents;  
2-8 (3) who is mentally disabled and who is engaging in  
2-9 recreational fishing as part of medically approved therapy, and who  
2-10 is fishing under the immediate supervision of personnel approved or  
2-11 employed by a hospital, residence, or school for mentally disabled  
2-12 persons;  
2-13 (4) who is mentally retarded and is engaged in  
2-14 recreational fishing under the immediate supervision of a person  
2-15 who:  
2-16 (A) holds a license issued under this chapter;  
2-17 and  
2-18 (B) has the permission of the mentally retarded  
2-19 person's family head or legal guardian to take the mentally  
2-20 retarded person fishing if the person is not a member of the family  
2-21 of the mentally retarded person; [~~or~~]  
2-22 (5) who is participating in an event that is sponsored  
2-23 or co-sponsored by the Texas Parks and Wildlife Department with the  
2-24 approval of the Executive Director; or  
2-25 (6) who is a resident and who is a veteran of the  
2-26 United States armed forces, if the person is acting under Section  
2-27 11.208 and complying with rules adopted under that section.  
2-28 SECTION 5. This Act takes effect September 1, 2021.

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