PRELIMINARY DRAFT

TEXAS LEGISLATIVE COUNCIL
Parks and Wildlife Code
Title 1
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TITLE 1. GENERAL PROVISIONS

CHAPTER 1001. GENERAL PROVISIONS

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TITLE 1. GENERAL PROVISIONS

CHAPTER 1001. GENERAL PROVISIONS

Revised Law

Sec. 1001.0101. PURPOSE OF CODE. (a) This code is enacted as a part of the state's continuing statutory revision program, begun by the Texas Legislative Council in 1963 as directed by the legislature in Section 323.007, Government Code. The program contemplates a topic-by-topic revision of the state's general and permanent statute law without substantive change.

(b) Consistent with the objectives of the statutory revision program, the purpose of this code is to make the law encompassed by this code more accessible and understandable by:

(1) rearranging the statutes into a more logical order;

(2) employing a format and numbering system designed to facilitate citation of the law and to accommodate future expansion of the law;

(3) eliminating repealed, duplicative, unconstitutional, expired, executed, and other ineffective provisions; and

(4) restating the law in modern American English to the greatest extent possible. (Parks & Wild. Code, Sec. 1.001.)

Source Law

Sec. 1.001. PURPOSE OF CODE. (a) This code is enacted as a part of the state's continuing statutory revision program, begun by the Texas Legislative Council in 1963 as directed by the legislature in Chapter 488, Acts of the 58th Legislature, 1963 (Article 5429b-1, Vernon's Texas Civil Statutes). The program contemplates a topic-by-topic revision of the state's general and permanent statute law without substantive change.

(b) Consistent with the objectives of the statutory revision program, the purpose of this code is to make the general and permanent parks and wildlife law more accessible and understandable by:

(1) rearranging the statutes into a more logical order;

(2) employing a format and numbering system designed to facilitate citation of the law and to accommodate future expansion of the law;

(3) eliminating repealed, duplicative, unconstitutional, expired, executed, and other ineffective provisions; and

(4) restating the law in modern American English to the greatest extent possible.

Revisor's Note

Section 1.001(a), Parks and Wildlife Code, refers to Chapter 488, Acts of the 58th Legislature, 1963 (Article 5429b-1, Vernon's Texas Civil Statutes). It is clear from the context that "Chapter 488" is a typographical error and the legislature intended to refer to Chapter 448. Chapter 448 was codified in pertinent part in 1985 as Section 323.007, Government Code. The revised law is drafted accordingly.

Revised Law

Sec. 1001.0102. CONSTRUCTION OF CODE. The Code Construction Act (Chapter 311, Government Code) applies to the construction of each provision in this code, except as otherwise expressly provided by this code. (Parks & Wild. Code, Sec. 1.002.)

Source Law

Sec. 1.002. CONSTRUCTION OF CODE. The Code Construction Act (Chapter 311, Government Code) applies to the construction of each provision in this code, except as otherwise expressly provided by this code.

Revised Law

Sec. 1001.0103. REFERENCE IN LAW TO STATUTE REVISED BY OR IN REENACTED CODE. A reference in a law to a statute or part of a statute revised by the reenactment of this code by the 90th Legislature, Regular Session, 2027, is considered to be a reference to the part of the reenacted code that revises that statute or part of that statute. A reference in a law to a provision of the reenacted code includes a reference to the statute or part of the statute revised by that provision. (New.)

Revisor's Note

This section is added to the revised law to clarify the effect of a reference in law to a statute revised by or in this code.

Revised Law

Sec. 1001.0104. DEFINITIONS. In this code:

(1) "Catch" means take or kill, including an attempt to take or kill.

(2) "Commission" means the Parks and Wildlife Commission.

(3) "Commissioner" means a member of the commission.

(4) "Department" means the Parks and Wildlife Department.

(5) "Executive director" means the executive director of the department.

(6) "Hunt" means capture, trap, take, or kill, or an attempt to capture, trap, take, or kill.

(7) "Presiding officer" means the presiding officer of the commission.

(8) "Sell" means to transfer the ownership or the right of possession of an item to a person for consideration, including a barter and an even exchange.

(9) "Take," except as otherwise provided by this code, means collect, hook, hunt, net, shoot, or snare, by any means or device, including an attempt to take or to pursue in order to

take.

(10) "Wild," when used in reference to an animal, means a species, including each individual of a species, that normally lives in a state of nature and is not ordinarily domesticated. The term does not include exotic livestock as defined by Section 161.001(a)(4), Agriculture Code. (Parks & Wild. Code, Secs. 1.101, 11.001; New.)

Source Law

Sec. 1.101. DEFINITIONS. In this code:

(1) "Hunt" means capture, trap, take, or kill, or an attempt to capture, trap, take, or kill.

(2) "Catch" means take or kill and includes an attempt to take or kill.

(3) "Sell" means to transfer the ownership or the right of possession of an item to a person for consideration and includes a barter and an even exchange.

(4) "Wild," when used in reference to an animal, means a species, including each individual of a species, that normally lives in a state of nature and is not ordinarily domesticated. This definition does not include exotic livestock defined by Section 161.001(a)(4), Agriculture Code.

(5) "Take," except as otherwise provided by this code, means collect, hook, hunt, net, shoot, or snare, by any means or device, and includes an attempt to take or to pursue in order to take.

Sec. 11.001. DEFINITIONS. In this code:

(1) "Commission" means the Parks and Wildlife Commission.

(2) "Department" means the Parks and Wildlife Department.

(3) "Director" means the executive director of the Parks and Wildlife Department.

(4) "Presiding officer" means the presiding officer of the Parks and Wildlife Commission.

Revisor's Note

(1) Section 11.001(3), Parks and Wildlife Code, defines the term "director" to mean the "executive director of the Parks and Wildlife Department." Throughout this code, the revised law substitutes "executive director" for the defined term because "executive director" is a more accurate description of the substance of that term.

(2) The definition of "commissioner" is added to the revised law for drafting convenience and to

eliminate frequent, unnecessary repetition of the substance of the definition.