

TPWD Outlines Hunting, Fishing Regulations

If you violate fish and wildlife laws, in addition to civil restitution you may:

-be fined (Class C – \$25–\$500; Class B – \$200–\$2000; Class A – \$500–\$4000; State Jail Felony, \$1500–\$10,000);

-be jailed (Class B and higher offenses);

-face automatic suspension or revocation of licenses for up to 5 years;

-forfeit hunting gear, including firearms, used to commit a violation.

CIVIL RESTITUTION: In addition to the criminal penalty for hunting and fishing violations, the department will seek the civil recovery value for the loss or damage to wildlife resources. The civil restitution cost is payable to Texas Parks and Wildlife Department and is in addition to the fine assessed by the court. Failure to pay the civil recovery value will result in the department's refusal to issue a license, tag, or permit. An individual who hunts or fishes after the refusal commits a Class A misdemeanor which is punishable by a fine not less than \$500 or more than \$4,000; punishment in jail not to exceed one year;

or both fine and confinement. For questions concerning civil restitution call (512) 389-4630.

General Law

The following information addresses some of the more commonly asked questions about hunting and fishing requirements and restrictions. For additional information not included in this guide, contact your local game warden or phone the Texas Parks and Wildlife Department (TPWD) toll free at (800) 792-1112.

• INSPECTION AUTHORITY:

A game warden who observes a person engaged in an activity governed by the Texas Parks and Wildlife Code or reasonably believes that a person is or has been engaged in such an activity may inspect:

(1) any license, permit, tag, or other document issued by the department and required by the Texas Parks and Wildlife Code of a person hunting or catching wildlife resources;

(2) any device that may be used to hunt or catch a wildlife resource;

(3) any wildlife resource in the person's possession; and

(4) the contents of any container

or receptacle that is commonly used to store or conceal a wildlife resource.

The full text of this law may be found in the Texas Parks and Wildlife Code, §12.102. See Texas Parks and Wildlife Codes at <http://tlo2.tlc.state.tx.us/statutes/pw.toc.htm> or call TPWD at (800) 792-1112 (press 9, then 4381).

-Personal Identification: While hunting, fishing or trapping, persons 17 years of age or older must carry on their person a driver's license or personal identification certificate issued by the Texas Department of Public Safety. Non-residents must carry similar documents issued by the agency in their state or country of residence that is authorized to issue driver's licenses or personal identification certificates.

-Possession Limit: For all wildlife resources taken for personal consumption and for which there is a possession limit, the possession limit shall not apply after the wildlife resource has reached the possessor's permanent residence and is finally processed.

-Special regulations and documents are required for the transfer and importation of wildlife resources (see Transfer of Wildlife Resources, pg. 27).

-Waste of Game: A reasonable effort must be made to retrieve all wounded game birds and game animals and they must be killed immediately and become a part of the legal bag limit. It is a violation to fail to keep all edible portions of a game bird, game animal, or fish in an edible condition. For whitetail and mule deer, pronghorn antelope, and desert bighorn sheep, the violation is a Class A misdemeanor.

-Retrieval of Game: No person may pursue a wounded wildlife

resource across a property line without the consent of landowner of the property where the wildlife resource has fled. Under the trespass provisions of the Penal Code, a person on a property without the permission of the landowner is subject to arrest.

Harassment of Hunters, Trappers, or Anglers (Sportsmen's Rights Act) is punishable by a fine of \$200 to \$2,000 and/or 180 days in jail.

It is unlawful to:

-take, attempt to take, or possess wildlife resources within a protected length limit, in greater numbers, by other means, or at any time or place, other than as indicated within this guide.

-store, transport, or abandon an unsecured loaded firearm in a place where children can obtain unsupervised access to the firearm. A person under age 17 who has lawful access to a firearm may hunt with the firearm if the youth has successfully completed the hunter education course, or is accompanied by a licensed hunter age 17 or older who has complied with the hunter education requirement, if applicable.

-drive a motor vehicle in the bed of a navigable freshwater stream, unless approved by a local river access plan established by a city, county, or river authority. This law does not apply to the Canadian River and Prairie Dog Town Fork of the Red River. There are other exemptions as well. The full text of this law may be found in Texas Parks and Wildlife Code, Chapter 90 at: <http://tlo2.tlc.state.tx.us/statutes/pw.toc.htm>

-fish on privately-owned waters, fish in public water from private land, or hunt on privately owned lands without the permission of the

owner or the owner's agent. Under the Texas Penal Code (§30.05) it is an offense for any person to enter property that is fenced, posted with a sign(s), or marked (purple paint) without the express permission of the owner. Posts or trees bearing purple paint marking of not less than eight inches in length and not less than one inch in width at not less than three or more than five feet from the ground constitute notice that the property is posted. A person who hunts without landowner consent and kills a desert bighorn sheep, pronghorn antelope, white-tailed deer, or mule deer commits an offense that is a Parks and Wildlife Code state jail felony. Upon conviction, your hunting and fishing license is automatically revoked. You are not required to have a fishing license to fish in private waters in Texas; but, if you are on private property while fishing in public water, a fishing license is required.

-discharge a firearm on or across a public road.



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