

**TEXAS PARKS AND WILDLIFE DEPARTMENT**

**EXECUTIVE DIRECTOR ORDER NO. 021-004**

Under the provisions of Parks and Wildlife Code, §12.027, if the Texas Parks and Wildlife Commission (the Commission) or the Executive Director of the Texas Parks and Wildlife Department (Executive Director) finds that there is an immediate danger to a species authorized to be regulated by the Department, the Commission or the Executive Director may adopt emergency rules as provided by Government Code, §2001.034.

White-tailed deer and mule deer are game animals subject to regulation by the Commission under the provisions of various chapters of the Parks and Wildlife Code, including Chapters 43 (Subchapters E, L, R, and R-1), 61, 62, and 63. Chronic Wasting Disease (CWD) is a fatal neurodegenerative disorder that affects some cervid species, including white-tailed deer and mule deer. On June 22, 2021, the Executive Director found that the discovery of CWD in Texas deer breeding facilities regulated under Parks and Wildlife Code, Chapter 43, Subchapter L and regulations adopted pursuant to that subchapter (31 TAC Chapter 65, Subchapters B and T) created an immediate danger to the white-tailed deer and mule deer resources of Texas and that the adoption of rules on an emergency basis with fewer than 30 days' notice was necessary to address an immediate danger.

The Executive Director has subsequently found that the original emergency rule requires additional technical adjustments to address the department's response to the disease emergency as well as to provide options to the regulated community as a consequence of continued communications with the regulated community since the filing of the original emergency rule.

Therefore, the Executive Director hereby ORDERS the adoption, on an emergency basis, of new 31 TAC §65.100 to replace the original emergency rule implementing additional disease testing requirements for deer breeding facilities. This order is effective immediately upon filing, authorizes publication of a Notice of Emergency Adoption in the *Texas Register*, and is to remain in effect until October 19, 2021, which is the expiration date of the original emergency rule as filed.

This order is issued pursuant to §12.027 of the Texas Parks and Wildlife Code and is effective immediately.

Signed this the 19<sup>th</sup> day of July, 2021.



Carter Smith  
Executive Director  
Texas Parks and Wildlife Department