

By: Flores

S.B. No. 1236

A BILL TO BE ENTITLED

AN ACT

relating to the use of certain weapons in or on the bed or bank of a navigable river or stream; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 284.001, Parks and Wildlife Code, is transferred to Subchapter B, Chapter 1, Parks and Wildlife Code, redesignated as Section 1.014, Parks and Wildlife Code, and amended to read as follows:

Sec. 1.014 [~~284.001~~]. USE OF CERTAIN WEAPONS IN OR ON BED OR BANK OF NAVIGABLE RIVER OR STREAM [~~DISCHARGE OF FIREARM~~]

PROHIBITED. (a) In this section:

(1) "Archery equipment" means a longbow, recurved bow, compound bow, or crossbow.

(2) "Firearm" has the meaning assigned by Section 62.014.

(3) "Navigable river or stream" has the meaning assigned by Section 90.001.

~~(b) [This section applies only to a navigable river or stream located wholly or partly in Dimmit, Edwards, Frio, Hall, Kenedy, Llano, Maverick, Real, Uvalde, or Zavala County.]~~

~~[(c)]~~ Except as provided by Subsection (c) [~~(d)~~], a person may not discharge a firearm or shoot an arrow from any kind of bow if:

(1) the person is located in or on the bed or bank of a

1 navigable river or stream at the time the firearm is discharged or
2 the arrow is shot from the bow; or

3 (2) any portion of the ammunition discharged or arrow
4 shot could physically contact the bed or bank of a navigable river
5 or stream.

6 (c) [~~(d)~~] This section does not apply to:

7 (1) an individual acting in the scope of the
8 individual's duties as a peace officer or department employee;

9 (2) the discharge of a shotgun loaded with ammunition
10 that releases only shot when discharged; or

11 (3) an individual engaging in fishing using archery
12 equipment, if the individual is in compliance with Subsection (e)
13 [~~(f)~~].

14 (d) [~~(e)~~] This section does not limit the ability of a
15 license holder to carry a handgun under the authority of Subchapter
16 H, Chapter 411, Government Code.

17 (e) [~~(f)~~] An individual engaging in fishing using archery
18 equipment may not possess while fishing:

19 (1) an arrow equipped with fletching of any kind;

20 (2) an unbarbed arrow; or

21 (3) a bow that is not equipped with a reel and line.

22 (f) A person who violates this section commits an offense
23 that is a Class C Parks and Wildlife Code misdemeanor.

24 (g) If conduct that constitutes an offense under this
25 section also constitutes an offense under Title 7, the actor may be
26 prosecuted under this section or the other law, but not both.

27 SECTION 2. The heading to Chapter 284, Parks and Wildlife

1 Code, is repealed.

2 SECTION 3. This Act takes effect September 1, 2023.