

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 (4) the discharge of a firearm during the legal taking
14 of an alligator; or

15 (5) the discharge of a firearm from the bank of a
16 navigable river or stream to take a venomous snake or nonindigenous
17 rodent by:

18 (A) an owner of the land adjacent to or through
19 which the navigable river or stream runs; or

20 (B) an agent of an owner described by Paragraph
21 (A) [~~(f)~~].

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

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

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

1 (2) an unbarbed arrow; or

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

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

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

8 SECTION 2. The heading to Chapter 284, Parks and Wildlife
9 Code, is repealed.

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1236 passed the Senate on April 3, 2023, by the following vote: Yeas 29, Nays 1; and that the Senate concurred in House amendments on May 25, 2023, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 1236 passed the House, with amendments, on May 19, 2023, by the following vote: Yeas 131, Nays 12, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor