

By: Talton

H.B. No. 2086

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the possession or shooting of a handgun on the land of
3 the Lower Colorado River Authority by a person licensed to carry a
4 concealed handgun.

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

6 SECTION 1. Section 62.082, Parks and Wildlife Code, is
7 amended by amending Subsection (d) and adding Subsection (e) to
8 read as follows:

9 (d) Section 62.081 does not apply to:

10 (1) an employee of the Lower Colorado River Authority;

11 (2) [r] a person authorized to hunt under Subsection
12 (c);

13 (3) [~~r~~] a peace officer as defined by Article 2.12,
14 Code of Criminal Procedure; or

15 (4) a person who:

16 (A) possesses a concealed handgun and a license
17 issued under Subchapter H, Chapter 411, Government Code, to carry a
18 concealed handgun of the same category as a handgun the person is
19 carrying; or

20 (B) under circumstances in which the person would
21 be justified in the use of deadly force under Chapter 9, Penal Code,
22 shoots a handgun of the same category as a handgun the person is
23 licensed to carry under Subchapter H, Chapter 411, Government Code.

24 (e) A state agency, including the department, the

1 Department of Public Safety, and the Lower Colorado River
2 Authority, may not adopt a rule that prohibits a person who
3 possesses a license issued under Subchapter H, Chapter 411,
4 Government Code, from entering or crossing the land of the Lower
5 Colorado River Authority while:

6 (1) possessing a concealed handgun of the same
7 category as a handgun the person is licensed to carry; or

8 (2) under circumstances in which the person would be
9 justified in the use of deadly force under Chapter 9, Penal Code,
10 shooting a handgun of the same category as a handgun the person is
11 licensed to carry.

12 SECTION 2. This Act takes effect September 1, 2003, and
13 applies only to an offense committed on or after that date. An
14 offense committed before the effective date of this Act is covered
15 by the law in effect when the offense was committed, and the former
16 law is continued in effect for that purpose. For purposes of this
17 section, an offense was committed before the effective date of this
18 Act if any element of the offense occurred before that date.