

BILL ANALYSIS

C.S.H.B. 2027
By: Hilderbran
Culture, Recreation, & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, a person may hunt the state-owned riverbeds in various counties. CS HB 2027 would make it an offense to discharge a firearm or shoot an arrow from any kind of bow if the person is located in or on the bed or bank of a navigable river or stream or if any portion of the ammunition discharged or arrow shot could physically contact the bed or bank of a navigable river or stream. This bill does not apply to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. CS HB 2027 would restrict hunters from hunting any species except migratory game birds and other species, such as quail, rabbits and squirrels that are normally hunted with a shotgun and shot in or on the bed or bank of a navigable river or stream in various counties. This bill would also prohibit “plinking” or target practice in those areas with a rifle or handgun.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. This section would amend Title 7, Parks and Wildlife Code (Local and Special Laws), by adding Chapter 284. Subsection (a)(1) defines firearm to mean the same as defined in Texas Parks and Wildlife Code, Section 62.014. Subsection (a)(2) defines navigable river or stream to mean the same as defined in Texas Parks and Wildlife Code, Section 90.001. Subsection (b) notes that this section applies only to a navigable river or stream located wholly or partly in Dimmit, Frio, Uvalde, or Zavala County. Subsection (c) makes it an offense to 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 navigable river or stream or (2) any portion of the ammunition discharged or arrow shot could physically contact the bed or bank of a navigable river or stream. Subsection (d) states that this section does not apply to (1) an individual acting in the scope of the individual's duties as a peace officer or department employee or (2) the discharge of a shotgun loaded with ammunition that releases only shot when discharged. Subsection (e) states that this section does not limit the ability of a license holder to carry a concealed handgun under the authority of Subchapter H, Chapter 411, Government Code.

SECTION 2. This Act takes effect September 1, 2005.

EFFECTIVE DATE

This Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 2027 creates a legislative council draft for H.B. 2027.

This substitute adds the counties of Edwards, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, and Real.