

AN ACT

relating to the discharge of a firearm across a property line;  
providing a penalty.

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

SECTION 1. Subchapter A, Chapter 62, Parks and Wildlife  
Code, is amended by adding Section 62.0121 to read as follows:

Sec. 62.0121. DISCHARGE OF FIREARM ACROSS PROPERTY LINE.

(a) In this section, "firearm" has the meaning assigned by Section  
62.014(a).

(b) A person commits an offense if:

(1) the person, while hunting or engaging in  
recreational shooting, knowingly discharges a firearm; and

(2) the projectile from the firearm travels across a  
property line.

(c) It is a defense to prosecution under this section that  
the person:

(1) owns the property on both sides of each property  
line crossed by the projectile; or

(2) has a written agreement with any person who owns  
property on either side of each property line crossed by the  
projectile that allows the person to discharge a firearm on, over,  
or across the property or property line.

(d) The written agreement required under Subsection (c)(2)  
must:

1           (1) contain the name of the person allowed to hunt or  
2 engage in recreational shooting in a manner described by Subsection  
3 (b);

4           (2) identify the property on either side of the  
5 property line crossed by the projectile; and

6           (3) be signed by any person who owns the property on  
7 either side of the line crossed by the projectile.

8           (e) An offense under this section is a Class C Parks and  
9 Wildlife Code misdemeanor.

10           (f) If conduct constituting an offense under this section  
11 constitutes an offense under a section of the Penal Code, the person  
12 may be prosecuted under either section or both sections.

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

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President of the Senate

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Speaker of the House

I certify that H.B. No. 505 was passed by the House on April 29, 2005, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 505 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor