

1-1 By: Hilderbran, Cook of Navarro H.B. No. 505
1-2 (Senate Sponsor - Madla)
1-3 (In the Senate - Received from the House May 2, 2005;
1-4 May 3, 2005, read first time and referred to Committee on Natural
1-5 Resources; May 20, 2005, reported favorably by the following vote:
1-6 Yeas 9, Nays 0; May 20, 2005, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the discharge of a firearm across a property line;
1-10 providing a penalty.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Subchapter A, Chapter 62, Parks and Wildlife
1-13 Code, is amended by adding Section 62.0121 to read as follows:

1-14 Sec. 62.0121. DISCHARGE OF FIREARM ACROSS PROPERTY LINE.
1-15 (a) In this section, "firearm" has the meaning assigned by Section
1-16 62.014(a).

1-17 (b) A person commits an offense if:
1-18 (1) the person, while hunting or engaging in
1-19 recreational shooting, knowingly discharges a firearm; and

1-20 (2) the projectile from the firearm travels across a
1-21 property line.

1-22 (c) It is a defense to prosecution under this section that
1-23 the person:

1-24 (1) owns the property on both sides of each property
1-25 line crossed by the projectile; or

1-26 (2) has a written agreement with any person who owns
1-27 property on either side of each property line crossed by the
1-28 projectile that allows the person to discharge a firearm on, over,
1-29 or across the property or property line.

1-30 (d) The written agreement required under Subsection (c)(2)
1-31 must:

1-32 (1) contain the name of the person allowed to hunt or
1-33 engage in recreational shooting in a manner described by Subsection
1-34 (b);

1-35 (2) identify the property on either side of the
1-36 property line crossed by the projectile; and

1-37 (3) be signed by any person who owns the property on
1-38 either side of the line crossed by the projectile.

1-39 (e) An offense under this section is a Class C Parks and
1-40 Wildlife Code misdemeanor.

1-41 (f) If conduct constituting an offense under this section
1-42 constitutes an offense under a section of the Penal Code, the person
1-43 may be prosecuted under either section or both sections.

1-44 SECTION 2. This Act takes effect September 1, 2005.

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