

By: Hilderbran

H.B. No. 506

A BILL TO BE ENTITLED

1 AN ACT

2 relating to hunting on or over certain submerged land; providing a
3 penalty.

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

5 SECTION 1. Subchapter A, Chapter 62, Parks and Wildlife
6 Code, is amended by adding Section 62.002 to read as follows:

7 Sec. 62.002. HUNTING ON OR OVER CERTAIN SUBMERGED LAND. (a)
8 Except as provided by Subsection (b), a person may not hunt or take
9 any wild animal or wild bird when the person is on or over privately
10 owned land that is:

11 (1) submerged under:

12 (A) public fresh water due to seasonal or
13 occasional inundation; or

14 (B) public salt water and located above the mean
15 high tide line of the Gulf of Mexico and its bays and estuaries; and

16 (2) conspicuously marked as privately owned by a sign
17 or signs that are substantially similar to the following:

18 POSTED. PRIVATE PROPERTY. NO HUNTING.

19 (b) This section does not apply to:

20 (1) fishing or to fish and other aquatic life;

21 (2) a person who:

22 (A) owns the submerged land; or

23 (B) obtains the landowner's consent;

24 (3) land that is dedicated to the permanent school

1 fund and that is located within:

2 (A) the tidewater limits of this state; or

3 (B) the gradient boundaries of a navigable river

4 or stream in this state; or

5 (4) land that is:

6 (A) submerged by public water; and

7 (B) located below the mean high tide line of the

8 Gulf of Mexico and its bays and estuaries.

9 (c) This section does not authorize a person to fish by any
10 means or method or at any time or place that is otherwise prohibited
11 by this code.

12 SECTION 2. Section 61.022(a), Parks and Wildlife Code, is
13 amended to read as follows:

14 (a) No person may hunt or catch by any means or method or
15 possess a wildlife resource at any time and at any place covered by
16 this chapter unless the owner of the land, submerged land, or water,
17 or the owner's agent, consents.

18 SECTION 3. This Act takes effect September 1, 2005.