

By: Hilderbran

H.B. No. 2024

A BILL TO BE ENTITLED

1 AN ACT

2 relating to hunter education.

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

4 SECTION 1. Section 62.014, Parks and Wildlife Code, is
5 amended by amending Subsections (a), (d), (f), and (h) and adding
6 Subsection (n) to read as follows:

7 (a) In this section:

8 (1) "Firearm" means any device designed, made, or
9 adapted to expel a projectile through a barrel by using the energy
10 generated by an explosion or burning substance or any device
11 readily convertible to that use.

12 (2) "Archery equipment" means a long bow, recurved
13 bow, or compound bow.

14 (3) "Certified hunter education provider" means a
15 person that:

16 (A) is not an employee of or a volunteer with the
17 department;

18 (B) offers a hunting education course that meets
19 the course requirements adopted by the department under Subsection
20 (f); and

21 (C) is certified by the department under
22 Subsection (n).

23 (d) If funds are available for its implementation the
24 commission may establish a mandatory hunter education program and

1 may require a person to have successfully completed a training
2 course before the person may hunt with firearms, archery equipment
3 as defined in Subsection (a) of this section, or crossbows in Texas.
4 If the certificate is so required, the person must possess the
5 certificate or other evidence of completion of the program while
6 hunting with firearms, archery equipment as defined in Subsection
7 (a) of this section, or crossbows. The commission shall ~~may~~
8 provide that residents or nonresidents who have successfully
9 completed a hunter education class offered or sponsored by the
10 department ~~[the same]~~ or a comparable hunter education course,
11 including a hunter education class offered by a certified hunter
12 education provider, and possess a certificate or other evidence of
13 completion have satisfied the requirements imposed under this
14 subsection. The commission may establish a minimum age for
15 participation in the program. Those persons who cannot participate
16 in the hunter education program because they do not meet the minimum
17 age or other requirements established by the commission can only
18 hunt with firearms, archery equipment as defined in Subsection (a)
19 of this section, or crossbows in Texas if they are accompanied by a
20 person who is 17 years of age or older and licensed to hunt in Texas.
21 Additionally, a person under 17 years of age hunting with a person
22 licensed to hunt in Texas who is 17 years of age or older is not
23 required to have certification under this Act.

24 The commission may implement the program by age group.
25 Persons who are 17 years of age or older on September 1, 1988, or on
26 the date on which a mandatory hunter education course is
27 implemented, whichever is later, are exempt from the requirements

1 imposed under this subsection.

2 The department is responsible for offering mandatory hunter
3 education courses that are accessible to all [~~those~~] persons
4 required to take this course. To this end, the department shall
5 provide hunter education opportunities in each county of the state
6 when a substantial number of residents request a class or at least
7 once a year.

8 (f) The department shall determine qualifications for
9 instructors in the hunter education program and shall recruit,
10 train, and certify instructors for the program. The department
11 shall also determine the qualifications necessary for a hunter
12 education provider to obtain certification under Subsection (n) and
13 the requirements that a hunter education course offered by a
14 certified hunter education provider must satisfy to be comparable
15 to the course offered by the department.

16 (h) The commission shall adopt rules to implement:

17 (1) the hunter education program;

18 (2) the procedure for certifying a hunter education
19 provider under Subsection (n); and

20 (3) a procedure for authorizing a hunter education
21 course offered by a certified hunter education provider.

22 (n) The department shall establish a procedure through
23 which a hunter education provider may obtain certification under
24 this section.

25 SECTION 2. The Parks and Wildlife Department shall adopt
26 rules under Section 62.014(h), Parks and Wildlife Code, as amended
27 by this Act, as soon as possible after the effective date of this

1 Act and not later than January 1, 2006.

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