

By: Talton

H.B. No. 3386

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the possession or shooting of a handgun on the land of
3 the Lower Colorado River Authority by a person licensed to carry a
4 concealed handgun.

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

6 SECTION 1. The heading to Section 62.082, Parks and
7 Wildlife Code, is amended to read as follows:

8 Sec. 62.082. TARGET RANGES, [AND] MANAGED HUNTS, AND OTHER
9 EXCEPTIONS; RULES.

10 SECTION 2. Section 62.082, Parks and Wildlife Code, is
11 amended by amending Subsection (d) and adding Subsection (e) to
12 read as follows:

13 (d) Section 62.081 does not apply to:

14 (1) an employee of the Lower Colorado River Authority;

15 (2) [~~7~~] a person authorized to hunt under Subsection
16 (c);

17 (3) [~~7-or~~] a peace officer as defined by Article 2.12,
18 Code of Criminal Procedure; or

19 (4) a person who:

20 (A) possesses a concealed handgun and a license
21 issued under Subchapter H, Chapter 411, Government Code, to carry a
22 concealed handgun of the same category as a handgun the person is
23 carrying; or

24 (B) under circumstances in which the person would

1 be justified in the use of deadly force under Chapter 9, Penal Code,
2 shoots a handgun of the same category as a handgun the person is
3 licensed to carry under Subchapter H, Chapter 411, Government Code.

4 (e) A state agency, including the department, the
5 Department of Public Safety, and the Lower Colorado River
6 Authority, may not adopt a rule that prohibits a person who
7 possesses a license issued under Subchapter H, Chapter 411,
8 Government Code, from entering or crossing the land of the Lower
9 Colorado River Authority while:

10 (1) possessing a concealed handgun of the same
11 category as a handgun the person is licensed to carry; or

12 (2) under circumstances in which the person would be
13 justified in the use of deadly force under Chapter 9, Penal Code,
14 shooting a handgun of the same category as a handgun the person is
15 licensed to carry.

16 SECTION 3. The change in law made by this Act applies only
17 to an offense committed on or after the effective date of this Act.
18 An offense committed before the effective date of this Act is
19 covered by the law in effect when the offense was committed, and the
20 former law is continued in effect for that purpose. For purposes of
21 this section, an offense was committed before the effective date of
22 this Act if any element of the offense occurred before that date.

23 SECTION 4. This Act takes effect September 1, 2005.