

1-1 By: Talton (Senate Sponsor - Armbrister) H.B. No. 3386
1-2 (In the Senate - Received from the House May 5, 2005;
1-3 May 8, 2005, read first time and referred to Committee on Natural
1-4 Resources; May 20, 2005, reported favorably by the following vote:
1-5 Yeas 10, Nays 0; May 20, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the possession or shooting of a handgun on the land of
1-9 the Lower Colorado River Authority by a person licensed to carry a
1-10 concealed handgun.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. The heading to Section 62.082, Parks and
1-13 Wildlife Code, is amended to read as follows:

1-14 Sec. 62.082. TARGET RANGES, ~~[AND]~~ MANAGED HUNTS, AND OTHER
1-15 EXCEPTIONS; RULES.

1-16 SECTION 2. Section 62.082, Parks and Wildlife Code, is
1-17 amended by amending Subsection (d) and adding Subsection (e) to
1-18 read as follows:

1-19 (d) Section 62.081 does not apply to:

1-20 (1) an employee of the Lower Colorado River Authority;

1-21 (2) ~~[]~~ a person authorized to hunt under Subsection

1-22 (c);

1-23 (3) ~~[]~~ a peace officer as defined by Article 2.12,
1-24 Code of Criminal Procedure; or

1-25 (4) a person who:

1-26 (A) possesses a concealed handgun and a license
1-27 issued under Subchapter H, Chapter 411, Government Code, to carry a
1-28 concealed handgun of the same category as a handgun the person is
1-29 carrying; or

1-30 (B) under circumstances in which the person would
1-31 be justified in the use of deadly force under Chapter 9, Penal Code,
1-32 shoots a handgun of the same category as a handgun the person is
1-33 licensed to carry under Subchapter H, Chapter 411, Government Code.

1-34 (e) A state agency, including the department, the
1-35 Department of Public Safety, and the Lower Colorado River
1-36 Authority, may not adopt a rule that prohibits a person who
1-37 possesses a license issued under Subchapter H, Chapter 411,
1-38 Government Code, from entering or crossing the land of the Lower
1-39 Colorado River Authority while:

1-40 (1) possessing a concealed handgun of the same
1-41 category as a handgun the person is licensed to carry; or

1-42 (2) under circumstances in which the person would be
1-43 justified in the use of deadly force under Chapter 9, Penal Code,
1-44 shooting a handgun of the same category as a handgun the person is
1-45 licensed to carry.

1-46 SECTION 3. The change in law made by this Act applies only
1-47 to an offense committed on or after the effective date of this Act.
1-48 An offense committed before the effective date of this Act is
1-49 covered by the law in effect when the offense was committed, and the
1-50 former law is continued in effect for that purpose. For purposes of
1-51 this section, an offense was committed before the effective date of
1-52 this Act if any element of the offense occurred before that date.

1-53 SECTION 4. This Act takes effect September 1, 2005.

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