

## BILL ANALYSIS

Senate Research Center  
80R11254 SGA-D

H.B. 308  
By: Kuempel (Estes)  
Natural Resources  
5/1/2007  
Engrossed

### AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current statute does not prohibit a person, including a person who is handicapped, from hunting as long as the person has acquired a hunting license from the state and completed a hunter safety course. The Parks and Wildlife Code prohibits hunting with the aid of an artificial light, including laser sight devices. Persons who are visually impaired are authorized to hunt game animals with the aid of a person who is not visually impaired. The most common hunting method used for visually impaired hunters is to have the hunter's aid position themselves behind the visually impaired hunter and used the scope to position the weapon on the animal. Hunting with laser sighting could improve the shot of a visually impaired person, making the shot more effective and lessening the chance of only wounding the game being shot.

H.B. 308 authorizes a person who is legally blind to use a laser sighting device while hunting during regular hunting hours and when assisted by a person who is not legally blind. This bill requires the legally blind hunter to carry proof of being legally blind.

### RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Parks and Wildlife Commission in SECTION 3 of this bill.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 62.005, Parks and Wildlife Code, as follows:

Sec. 62.005. HUNTING WITH LIGHT. Prohibits a person from hunting a game animal or bird protected by this code with the aid of an artificial light that casts or reflects a beam of light onto or otherwise illuminates the game animal or bird, including the headlights of a motor vehicle, except as provided by Section 62.0055.

SECTION 2. Amends Subchapter A, Chapter 62, Parks and Wildlife Code, by adding Section 62.0055, as follows:

Sec. 62.0055. HUNTING WITH LASER SIGHTING DEVICE BY LEGALLY BLIND HUNTER. (a) Defines "legally blind."

(b) Authorizes a legally blind hunter to use a laser sighting device during regular hunting hours when assisted by a person who is not legally blind, has a hunting license, and is at least 13 years of age.

(c) Requires the legally blind hunter to carry proof of being legally blind.

(d) Provides that Section 62.014 (Hunter Education Program) applies to a hunter under this section.

SECTION 3. (a) Requires the Parks and Wildlife Commission to adopt rules that prescribe what is acceptable as proof of being legally blind under Section 62.0055, Parks and Wildlife Code, as added by this Act, not later than September 1, 2007.

(b) Prohibits the Parks and Wildlife Department from enforcing Section 62.0055(c), Parks and Wildlife Code, as added by this Act, until the rules adopted under Subsection (a) of this section take effect.

SECTION 4. Effective date: upon passage or September 1, 2007.