

By: Kuempel

H.B. No. 308

Substitute the following for H.B. No. 308:

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C.S.H.B. No. 308

A BILL TO BE ENTITLED

AN ACT

relating to the use of laser sighting devices by hunters who are legally blind.

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

SECTION 1. Section 62.005, Parks and Wildlife Code, is amended to read as follows:

Sec. 62.005. HUNTING WITH LIGHT. Except as provided by Section 62.0055, no [No] person may hunt 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.

SECTION 2. Subchapter A, Chapter 62, Parks and Wildlife Code, is amended by adding Section 62.0055 to read as follows:

Sec. 62.0055. HUNTING WITH LASER SIGHTING DEVICE BY LEGALLY BLIND HUNTER. (a) In this section, "legally blind" has the meaning assigned by Section 62.104, Government Code.

(b) A legally blind hunter may use a laser sighting device during regular hunting hours when assisted by a person who:

(1) is not legally blind;

(2) has a hunting license; and

(3) is at least 13 years of age.

(c) The legally blind hunter must carry proof of being legally blind.

(d) Section 62.014 applies to a hunter under this section.

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

5           (b) The Parks and Wildlife Department may not enforce  
6 Section 62.0055(c), Parks and Wildlife Code, as added by this Act,  
7 until the rules adopted under Subsection (a) of this section take  
8 effect.

9           SECTION 4. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2007.