

By: Kuempel

H.B. No. 1805

A BILL TO BE ENTITLED

AN ACT

relating to the use of laser sighting devices by hunters who have certain documented disabilities.

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 or 62.0056, 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 62.0056 to read as follows:

Sec. 62.0056. HUNTING WITH LASER SIGHTING DEVICE BY HUNTERS WITH CERTAIN DISABILITIES. (a) In this section, "physically disabled person" means a person with a documented physical disability that renders the person incapable of using a traditional firearm sighting device. A physician's statement certifying the extent of the disability is sufficient documentation.

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

(1) is not physically disabled;

(2) has a hunting license; and

1           (3) is at least 13 years of age.

2           (c) The hunter who is a physically disabled person must  
3 carry proof of being physically disabled.

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

5           SECTION 3. (a) Not later than September 1, 2009, the Parks  
6 and Wildlife Commission shall adopt rules that prescribe what is  
7 acceptable as proof of being a physically disabled person under  
8 Section 62.0056, Parks and Wildlife Code, as added by this Act.

9           (b) The Parks and Wildlife Department may not enforce  
10 Section 62.0056(c), Parks and Wildlife Code, as added by this Act,  
11 until the rules adopted under Subsection (a) of this section take  
12 effect.

13           SECTION 4. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2009.