

By: Guillen

H.B. No. 1993

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the discharge of a firearm across the property line of
3 an educational facility and educating hunters on that subject;
4 providing criminal penalties.

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

6 SECTION 1. Subchapter A, Chapter 62, Parks and Wildlife
7 Code, is amended by adding Section 62.0122 to read as follows:

8 Sec. 62.0122. DISCHARGE OF FIREARM ACROSS PROPERTY LINE OF
9 EDUCATIONAL FACILITY. (a) In this section:

10 (1) "Educational facility" means a public or private:

11 (A) prekindergarten facility;

12 (B) elementary or secondary school; or

13 (C) junior college, college, or university.

14 (2) "Firearm" has the meaning assigned by Section
15 62.014(a).

16 (b) A person commits an offense if:

17 (1) the person, while hunting or engaging in
18 recreational shooting, knowingly discharges a firearm; and

19 (2) the projectile from the firearm travels across the
20 property line of an educational facility.

21 (c) If conduct constituting an offense under this section
22 constitutes an offense under a section of the Penal Code, the person
23 may be prosecuted under either section or both sections.

24 SECTION 2. Section 62.013, Parks and Wildlife Code, is

1 amended by amending Subsection (a) and adding Subsection (d) to
2 read as follows:

3 (a) Except as provided by Subsections (b), ~~[and]~~ (c), and
4 (d) [of this section], a person who violates a provision of this
5 subchapter commits an offense that is a Class C Parks and Wildlife
6 Code misdemeanor.

7 (d) A person who violates Section 62.0122 commits an offense
8 that is a Class C Parks and Wildlife Code misdemeanor, except that
9 the offense is a Class A Parks and Wildlife Code misdemeanor if it
10 is shown on the trial of the offense that the violation occurred
11 while students were present at the educational facility.

12 SECTION 3. Section 62.014, Parks and Wildlife Code, is
13 amended by adding Subsection (b-1) to read as follows:

14 (b-1) A hunter education course must include information
15 describing the penalty for the discharge of a firearm across the
16 property line of an educational facility as provided by Section
17 62.0122.

18 SECTION 4. The change in law made by this Act applies only
19 to an offense committed on or after the effective date of this Act.
20 An offense committed before the effective date of this Act is
21 covered by the law in effect on the date the offense was committed,
22 and the former law is continued in effect for that purpose. For
23 purposes of this section, an offense was committed before the
24 effective date of this Act if any element of the offense occurred
25 before that date.

26 SECTION 5. This Act takes effect September 1, 2013.