

## **BILL ANALYSIS**

C.S.H.B. 1771  
By: Price  
Culture, Recreation & Tourism  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties contend that civilians are discharging firearms and shooting arrows from bows in and on the beds and banks of a certain portion of the Canadian River and that the bullets and arrows are crossing into private property. C.S.H.B. 1771 seeks to address this issue by prohibiting such actions in a specified area, with certain limited exceptions.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1771 amends the Parks and Wildlife Code to prohibit a person from discharging a firearm or shooting an arrow from any kind of bow if, at the time the firearm is discharged or the arrow is shot from the bow, the person is located in or on the bed or bank of the segment of the Canadian River extending from the intersection of U.S. Highways 287 and 87 and the Canadian River to a point 1.2 miles west of the intersection, marked by a structure serving as a railroad trestle, and to a point 1.5 miles east of the intersection, where the Canadian River enters the Lake Meredith National Recreational Area. The bill exempts from the prohibition an individual acting in the scope of the individual's duties as a peace officer or Parks and Wildlife Department employee and also exempts the discharge of a shotgun loaded with ammunition that releases only shot when discharged. The bill expressly does not limit the ability of a handgun license holder to carry a concealed handgun.

### **EFFECTIVE DATE**

September 1, 2017.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1771 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Title 7, Parks and Wildlife Code, is amended by adding Chapter 287 to read as follows:

CHAPTER 287. POTTER COUNTY

Sec. 287.001. DISCHARGE OF FIREARM PROHIBITED. (a) In this section, "firearm" has the meaning assigned by Section 62.014.

(b) This section applies only to the two-mile segment of the Canadian River in Potter County centered on the intersection of United States Highways 287 and 87 and the Canadian River.

(c) Except as provided by Subsection (d), a person may not discharge a firearm or shoot an arrow from any kind of bow if the person is located in or on the bed or bank of the portion of the Canadian River to which this chapter applies at the time the firearm is discharged or the arrow is shot from the bow.

(d) This section does not apply to:

(1) an individual acting in the scope of the individual's duties as a peace officer or department employee; or

(2) the discharge of a shotgun loaded with ammunition that releases only shot when discharged.

(e) This section does not limit the ability of a license holder to carry a concealed handgun under the authority of Subchapter H, Chapter 411, Government Code.

SECTION 2. This Act takes effect September 1, 2017.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Title 7, Parks and Wildlife Code, is amended by adding Chapter 287 to read as follows:

CHAPTER 287. POTTER COUNTY

Sec. 287.001. DISCHARGE OF FIREARM PROHIBITED. (a) In this section, "firearm" has the meaning assigned by Section 62.014.

(b) This section applies only to the segment of the Canadian River extending from the intersection of United States Highways 287 and 87 and the Canadian River to:

(1) a point 1.2 miles west of the intersection, marked by a structure serving as a railroad trestle; and

(2) a point 1.5 miles east of the intersection, where the Canadian River enters the Lake Meredith National Recreational Area.

(c) Except as provided by Subsection (d), a person may not discharge a firearm or shoot an arrow from any kind of bow if the person is located in or on the bed or bank of the portion of the Canadian River to which this chapter applies at the time the firearm is discharged or the arrow is shot from the bow.

(d) This section does not apply to:

(1) an individual acting in the scope of the individual's duties as a peace officer or department employee; or

(2) the discharge of a shotgun loaded with ammunition that releases only shot when discharged.

(e) This section does not limit the ability of a license holder to carry a concealed handgun under the authority of Subchapter H, Chapter 411, Government Code.

SECTION 2. Same as introduced version.