

SENATE AMENDMENTS

2nd Printing

By: Springer

H.B. No. 489

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of certain weapons in or on the beds or banks of
3 certain rivers and streams in particular counties.

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

5 SECTION 1. Section 284.001(b), Parks and Wildlife Code, is
6 amended to read as follows:

7 (b) This section applies only to a navigable river or stream
8 located wholly or partly in Dimmit, Edwards, Frio, Hall, Kenedy,
9 Llano, Maverick, Real, Uvalde, or Zavala County.

10 SECTION 2. This Act takes effect September 1, 2019.

ADOPTED

MAY 21 2019

Larry Spaw
Secretary of the Senate

By: Seiger

H.B. No. 489

Substitute the following for H.B. No. 489:

By: Chris Perry

C.S. H.B. No. 489

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8 located wholly or partly in Dimmit, Edwards, Frio, Hall, Kenedy,
9 Llano, Maverick, Real, Uvalde, or Zavala County.

10 SECTION 2. Chapter 350, Parks and Wildlife Code, is
11 repealed.

12 SECTION 3. This Act takes effect September 1, 2019.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 21, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB489 by Springer (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code to extend an existing authorization for bow fishing in navigable rivers in certain counties to include additional counties. The bill would also repeal restrictions on the use of a boat or other floating device for hunting in certain counties. The offense repealed by the bill may be variously a Class C Parks and Wildlife Code misdemeanor or a Parks and Wildlife Code state jail felony.

Local Government Impact

A Class C Parks and Wildlife Code misdemeanor is punishable by a fine of not less than \$25 nor more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies:

LBB Staff: WP, SZ, SD, GP

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 11, 2019

TO: Honorable Charles Perry, Chair, Senate Committee on Water & Rural Affairs

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB489 by Springer (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code to extend an existing authorization for bow fishing in navigable rivers in certain counties to include additional counties. The bill would also repeal restrictions on the use of a boat or other floating device for hunting in certain counties. The offense repealed by the bill may be variously a Class C Parks and Wildlife Code misdemeanor or a Parks and Wildlife Code state jail felony.

Local Government Impact

A Class C Parks and Wildlife Code misdemeanor is punishable by a fine of not less than \$25 nor more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies:

LBB Staff: WP, SZ, SD, GP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 29, 2019

TO: Honorable Charles Perry, Chair, Senate Committee on Water & Rural Affairs

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB489 by Springer (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code to extend an existing authorization for bow fishing in navigable rivers in certain counties to include additional counties.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: WP, SZ, SD, GP

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 1, 2019

TO: Honorable John Cyrier, Chair, House Committee on Culture, Recreation & Tourism

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB489 by Springer (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code to extend an existing authorization for bow fishing in navigable rivers in certain counties to include additional counties.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: WP, SZ, SD, GP

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

86TH LEGISLATIVE REGULAR SESSION

May 11, 2019

TO: Honorable Charles Perry, Chair, Senate Committee on Water & Rural Affairs

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB489 by Springer (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties.), **Committee Report 2nd House, Substituted**

The provisions of the bill addressing felony sanctions are the subject of this analysis. The bill would amend the Parks and Wildlife Code as it relates to weapons and hunting in certain counties. Under the provisions of the bill, the list of counties where the prohibited discharge of a firearm in certain locations or the prohibited shooting of an arrow in certain locations would be expanded. The bill would also remove a section of the Parks and Wildlife Code and its associated criminal penalties relating to hunting on certain parts of Big Sandy Creek currently punishable as a Class A Parks and Wildlife Code misdemeanor or a Parks and Wildlife Code state jail felony depending on the specific circumstances of the offenses.

A Parks and Wildlife Code state jail felony is punishable by confinement in a state jail for a term not more than two years or less than 180 days and, in addition to confinement, an optional fine not less than \$1,500 and not more than \$10,000. A Class A Parks and Wildlife Code misdemeanor is punishable by confinement in jail for a term not to exceed 180 days and, in addition to confinement, an optional fine not less than \$200 and not more than \$2,000.

Reducing the list of behaviors for which a penalty may be applied is expected to result in fewer demands upon the correctional resources of the counties or of the State due to a decrease in the number of individuals placed under supervision in the community or sentenced to a term of confinement within state correctional institutions. In fiscal year 2018, fewer than ten individuals were arrested, placed under felony community supervision, or admitted into state correctional institutions for the offense which would be repealed under the provisions of the bill. This analysis assumes the provisions of the bill addressing felony sanctions would not result in a significant impact on state correctional populations or the demand for state correctional resources.

Source Agencies:

LBB Staff: WP, LM, DGi