

BILL ANALYSIS

Senate Research Center
79R12449 KCR-D

H.B. 505
By: Hilderbran (Madla)
Natural Resources
5/20/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently it is not a violation of the law to discharge a firearm across a property line. This may create a very unsafe environment in areas where there are smaller tracks of land.

H.B. 505 makes discharging a firearm across a property line a Class C Parks and Wildlife Code misdemeanor.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 62, Parks and Wildlife Code, by adding Section 62.0121, as follows:

Sec. 62.0121. DISCHARGE OF FIREARM ACROSS PROPERTY LINE. (a) Defines "firearm."

(b) Provides that a person commits an offense if the person, while hunting or engaging in recreational shooting, knowingly discharges a firearm and the projectile from the firearm travels across a property line.

(c) Provides that it is a defense to prosecution under this section that the person owns the property on both sides of each property line crossed by the projectile or has a written agreement with any person who owns property on either side of each property line crossed by the projectile that allows the person to discharge a firearm on, over, or across the property or property line.

(d) Sets forth the requirements for the written agreement with a property owner under this section.

(e) Provides that an offense under this section is a Class C Parks and Wildlife Code misdemeanor.

(f) Authorizes the person, if conduct constituting an offense under this section constitutes an offense under a section of the Penal Code, to be prosecuted under either section or both sections.

SECTION 2. Effective date: September 1, 2005.