PRELIMINARY DRAFT

TEXAS LEGISLATIVE COUNCIL
Parks and Wildlife Code
Title 7
9/4/26

TITLE 7. LOCAL AND SPECIAL LAWS

SUBTITLE A. PROVISIONS AFFECTING LOCALITIES

CHAPTER 7101. CADDO LAKE IN HARRISON COUNTY

Sec. 7101.0101. DISCHARGE OF FIREARM PROHIBITED 3

CHAPTER 7121. CADDO LAKE IN MARION COUNTY

Sec. 7121.0101. DISCHARGE OF FIREARM PROHIBITED 5

CHAPTER 7141. CANADIAN RIVER IN POTTER COUNTY

Sec. 7141.0101. USE OF WEAPON IN CERTAIN AREAS PROHIBITED 5

CHAPTER 7161. COASTAL WATER OF ORANGE COUNTY

Sec. 7161.0101. SHRIMP REGULATIONS 7

CHAPTER 7181. DAINGERFIELD LAKE IN MORRIS COUNTY

Sec. 7181.0101. DISCHARGE OF FIREARM PROHIBITED 10

CHAPTER 7201. FALCON LAKE IN STARR AND ZAPATA COUNTIES

Sec. 7201.0101. COMMERCIAL CATFISH FISHING 11

CHAPTER 7221. LAKE BAIRD IN CALLAHAN COUNTY

Sec. 7221.0101. DISCHARGE OF FIREARM PROHIBITED 12

CHAPTER 7241. LAKE LAVON IN COLLIN COUNTY

Sec. 7241.0101. DISCHARGE OF FIREARM PROHIBITED 13

CHAPTER 7261. LAKE SABINE IN JEFFERSON COUNTY

Sec. 7261.0101. RECREATIONAL USE OF CERTAIN AREAS 13

Sec. 7261.0102. REGULATION OF BOAT SPEED 14

CHAPTER 7281. LAKE TEXOMA IN GRAYSON AND COOKE COUNTIES

Sec. 7281.0101. DEFINITION 14

Sec. 7281.0102. FISHING LICENSE REQUIRED 15

Sec. 7281.0103. LAKE TEXOMA FISHING LICENSE 17

Sec. 7281.0104. LAKE TEXOMA 10-DAY FISHING LICENSE 17

Sec. 7281.0105. FORM OF LICENSE 17
Sec. 7281.0106. DIVISION OF FEES 17
Sec. 7281.0107. PAYMENT BY COMPTROLLER 18
Sec. 7281.0108. RULES RELATING TO POSSESSION OF LICENSE 18
Sec. 7281.0109. SOCIAL SECURITY NUMBERS OF CERTAIN MINORS 18
CHAPTER 7301. LAND LEASED BY AUDUBON SOCIETY IN CAMERON AND KLEBERG COUNTIES
Sec. 7301.0101. PROHIBITED ACTIVITIES 20
CHAPTER 7321. LOWER COLORADO RIVER AUTHORITY LAND
Sec. 7321.0101. DEFINITIONS 22
Sec. 7321.0102. WEAPONS PROHIBITED 22
Sec. 7321.0103. TARGET RANGES AND MANAGED HUNTS 23
Sec. 7321.0104. APPROVED INSTRUCTOR AND RANGE RECORDS 24
Sec. 7321.0105. CERTAIN RULES INVOLVING HANDGUN LICENSE HOLDERS PROHIBITED 24
CHAPTER 7341. MURVAUL LAKE IN PANOLA COUNTY
Sec. 7341.0101. DEFINITIONS 25
Sec. 7341.0102. CAMPING IN CERTAIN AREAS PROHIBITED 25
Sec. 7341.0103. POSSESSION OF FIREARM PROHIBITED 26
Sec. 7341.0104. CERTAIN WATER ACTIVITIES PROHIBITED 26
CHAPTER 7361. SABINE RIVER IN HUNT COUNTY
Sec. 7361.0101. NAVIGABILITY 27
CHAPTER 7381. STILLHOUSE HOLLOW RESERVOIR IN BELL COUNTY
Sec. 7381.0101. HUNTING IN CERTAIN AREAS PROHIBITED 27
CHAPTER 7401. TRINITY RIVER, WALLISVILLE RESERVOIR, LAKE ANAHUAC, AND OYSTER BAYOU IN CHAMBERS COUNTY
Sec. 7401.0101. USE OF WEAPON IN CERTAIN AREAS PROHIBITED 28
CHAPTER 7421. TRINITY RIVER AND WALLISVILLE RESERVOIR IN LIBERTY COUNTY
Sec. 7421.0101. DISCHARGE OF FIREARM PROHIBITED 29

CHAPTER 7441. WRIGHT PATMAN LAKE IN BOWIE AND CASS COUNTIES
Sec. 7441.0101. DISCHARGE OF FIREARM PROHIBITED 30
SUBTITLE Z. ENFORCEMENT
CHAPTER 7951. PENALTIES
Sec. 7951.0101. CRIMINAL PENALTY 31

TITLE 7. LOCAL AND SPECIAL LAWS

SUBTITLE A. PROVISIONS AFFECTING LOCALITIES

CHAPTER 7101. CADDO LAKE IN HARRISON COUNTY

Revised Law

Sec. 7101.0101. DISCHARGE OF FIREARM PROHIBITED. (a) Except as provided by Subsection (b), a person may not discharge a pistol or rifle in, on, along, or across Caddo Lake in Harrison County.

(b) This section does not apply to a person:

(1) acting in the scope of the person's official duties as a peace officer or representative of the commission; or

(2) hunting with a shotgun during an open season or when it is otherwise lawful to hunt in or on Caddo Lake in Harrison County.

(c) A person commits an offense if the person violates this section. An offense under this subsection is a misdemeanor punishable by a fine of not less than $10 or more than $200.

(d) An offense under this section may be prosecuted in Marion or Harrison County without regard to where the offense occurred. (Parks & Wild. Code, Secs. 202.031(a), (b), (c), (d) (part).)

Source Law

> Sec. 202.031. FIRING WEAPONS. (a) No person may shoot a pistol or rifle in, on, along, or across Caddo Lake in Harrison County.
>
> (b) This section does not apply to peace officers, game wardens, or representatives of the Parks and Wildlife Commission in the discharge of their official duties, nor does it prevent a person from hunting with a shotgun during an open season or when it is lawful to hunt in or upon Caddo Lake in Harrison County.
>
> (c) A person who violates this section is guilty of a misdemeanor and on conviction is punishable by a fine of not less than $10 nor more than $200.

(d) . . . [Harrison or Marion counties.] Prosecutions may be brought and maintained in either county without regard to the county where the offense was committed.

Revisor's Note

(1) Section 202.031(a), Parks and Wildlife Code, provides that a person may not "shoot" a pistol or rifle in certain areas. Throughout this title, for consistency in terminology used in this title, the revised law substitutes "discharge" for "shoot" and similar terms such as "fire" when the act involves only a firearm.

(2) Section 202.031(b), Parks and Wildlife Code, exempts from the provisions of Section 202.031 of that code "peace officers, game wardens, or representatives of the Parks and Wildlife Commission" in the discharge of those persons' official duties. Throughout this title, in provisions that include a reference to both "peace officer" and "game warden," the revised law omits "game warden" as included in the meaning of "peace officer" because a game warden is a law enforcement officer commissioned under Section 11.019, Parks and Wildlife Code, revised as Sections 2004.0101 and 2004.0102, and commissioned law enforcement officers of the Parks and Wildlife Department are defined as peace officers under Article 2A.001(10), Code of Criminal Procedure.

(3) Section 202.031(d), Parks and Wildlife Code, provides that venue for the prosecution of a violation of Section 202.031 of that code is in Harrison or Marion County and that "[p]rosecutions may be brought and maintained in either county without regard to the county where the offense was committed." The revised law omits the portion of Section 202.031(d) regarding venue as unnecessary in the context of the quoted language. The omitted law reads:

(d) Venue for prosecutions for violations of this section is in Harrison or Marion counties. . . .

CHAPTER 7121. CADDO LAKE IN MARION COUNTY

Revised Law

Sec. 7121.0101. DISCHARGE OF FIREARM PROHIBITED. (a) Except as provided by Subsection (b), a person may not discharge a pistol in, on, along, or across Caddo Lake in Marion County.

(b) This section does not apply to a person:

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

(2) hunting with a shotgun during an open season.

(c) A peace officer or an authorized employee of the department may inspect a boat or other watercraft for a violation of this section without a warrant.

(d) An offense under Section 7951.0101 for a violation of this section may be prosecuted in Marion or Harrison County without regard to where the offense occurred. (Parks & Wild. Code, Sec. 258.011.)

Source Law

Sec. 258.011. SHOOTING PISTOLS ON CADDO LAKE. (a) No person may shoot a pistol in, on, along, or across Caddo Lake in Marion County.

(b) This section does not apply to peace officers or employees of the department engaged in official duties, nor does this section prohibit hunting with a shotgun during an open season.

(c) Peace officers and authorized employees of the department may inspect boats and other watercraft for violations of this section without a warrant.

(d) A prosecution for a violation of this section may be maintained in Marion or Harrison County without regard to where the offense occurred.

CHAPTER 7141. CANADIAN RIVER IN POTTER COUNTY

Revised Law

Sec. 7141.0101. USE OF WEAPON IN CERTAIN AREAS PROHIBITED. (a) In this section, "firearm" has the meaning assigned by Section 5103.0201.

(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 Recreation 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 section applies at the time the firearm is discharged or the arrow is shot from the bow.

(d) This section does not apply to:

(1) a person acting in the scope of the person'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. (Parks & Wild. Code, Secs. 287.001(a), (b), (c), (d).)

Source Law

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.

Revisor's Note

(1) Section 287.001(b)(2), Parks and Wildlife Code, refers to the "Lake Meredith National Recreational Area." The revised law substitutes

"Recreation" for "Recreational" because Lake Meredith National Recreation Area is the official name of the area.

(2) Section 287.001(e), Parks and Wildlife Code, provides that the provisions of Section 287.001 of that code do not limit the ability of a person to carry a concealed handgun under the authority of Subchapter H, Chapter 411, Government Code. The revised law omits that provision as unnecessary because there is no reading of Section 287.001 that would limit a person in the manner described by the omitted subsection. The omitted law reads:

> (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.

CHAPTER 7161. COASTAL WATER OF ORANGE COUNTY

Revised Law

Sec. 7161.0101. SHRIMP REGULATIONS. (a) In this section, "coastal water" has the meaning assigned by Section 5251.0101.

(b) The commission may regulate the taking of shrimp from the coastal water of Orange County to:

(1) provide for the most profitable and equitable harvest of shrimp from year to year; and

(2) conserve and protect the shrimp resources of Orange County from depletion and waste.

(c) The commission may adopt regulations to carry out the policy of this section, including regulations governing:

(1) the size of shrimp that may be taken;

(2) open and closed shrimp seasons;

(3) the means of taking shrimp;

(4) the size and type of boats and equipment that may be used for taking shrimp;

(5) the length and mesh size of net and trawls and their spreading devices; and

(6) the possession, transportation, sale, and other handling of shrimp in the coastal water of Orange County.

(d) The commission, by regulation adopted in accordance with this section, may:

(1) provide for the licensing of a person taking, selling, or handling shrimp in Orange County; and

(2) license boats and equipment used for the taking, selling, or handling of shrimp in Orange County.

(e) The commission shall conduct continuous research, investigations, and studies of the shrimp resources in Orange County in the same manner as required by Sections 5251.0203 and 5251.0204. Based on the information obtained, and after hearings, the commission shall adopt the regulations authorized by this section. The hearings, the method of adoption of the regulations, the effective date of the regulations, and the procedure for appeal shall be governed by the provisions of Chapter 125, Acts of the 52nd Legislature, Regular Session, 1951, as amended.

(f) A person commits an offense if the person violates a regulation of the commission adopted under this section. An offense under this subsection is subject to the penalties provided by Section 5251.9901.

(g) The commission has all powers of enforcement granted to it under Chapter 5251 for the enforcement of this section. (Parks & Wild. Code, Sec. 281.022.)

Source Law

> Sec. 281.022. SHRIMP REGULATIONS. (a) The commission may regulate the taking of shrimp from the coastal water of Orange County to provide for the most profitable and equitable harvest of shrimp from year to year and to conserve and protect the shrimp resources of Orange County from depletion and waste.
>
> (b) The commission may make regulations to carry out the policy of this section including regulating:
>
> (1) the size of shrimp that may be taken;
>
> (2) open and closed shrimp seasons;
>
> (3) the means of taking shrimp;
>
> (4) the size and type of boats and equipment that may be used for taking shrimp;
>
> (5) the length and mesh size of net and trawls and their spreading devices; and
>
> (6) the possession, transportation, sale, and other handling of shrimp in the coastal water of

Orange County.

(c) The commission by regulation adopted in accordance with this section may provide for the licensing of all persons taking, selling, or handling shrimp in Orange County and may license boats and equipment used for the taking, selling, or handling of shrimp in Orange County. The commission may adopt the licensing provisions of the Texas Shrimp Conservation Act (Chapter 77 of this code).

(d) The commission shall conduct continuous research, investigations, and studies of the shrimp resources in Orange County in the same manner as required by Sections 77.004, 77.005, and 77.006 of this code. Based on the information obtained, and after hearings, the commission shall promulgate the regulations authorized by this section. The hearings, the method of adoption of the regulations, the effective date of the regulations, and the procedure for appeal shall be governed by the provisions of Chapter 125, Acts of the 52nd Legislature, Regular Session, 1951, as amended.

(e) "Coastal water" is defined by Section 77.001(1) of this code.

(f) A person who violates a regulation of the commission adopted under this section shall be punished as provided in Section 77.020 of this code. The commission has all powers of enforcement granted to it under Chapter 77 of this code for the enforcement of this section.

Revisor's Note

(1) Section 281.022(c), Parks and Wildlife Code, provides that "[t]he commission may adopt the licensing provisions of the Texas Shrimp Conservation Act (Chapter 77 of this code)." The revised law omits the quoted language because it duplicates the authority granted to the Parks and Wildlife Commission under Chapter 77, Parks and Wildlife Code, revised as Chapter 5251 of this code.

(2) Section 281.022(d), Parks and Wildlife Code, refers to Section 77.006 of that code. The revised law omits the reference to Section 77.006 because that section was repealed by Chapter 391, Acts of the 74th Legislature, Regular Session, 1995.

(3) Section 281.022(d), Parks and Wildlife Code, requires the Parks and Wildlife Commission to "promulgate" regulations under Section 281.022 of that code based on certain information obtained by the commission, and after hearings. The revised law

substitutes "adopt" for "promulgate" because, in context, the terms are synonymous and "adopt" is more commonly used.

(4) Section 281.022(d), Parks and Wildlife Code, provides that the adoption of and procedures for appealing regulations adopted by the Parks and Wildlife Commission are governed by Chapter 125, Acts of the 52nd Legislature, Regular Session, 1951, as amended. Chapter 125, Acts of the 52nd Legislature, was repealed by Chapter 730, Acts of the 60th Legislature, Regular Session, 1967. Section 281.022 was codified by Chapter 545, Acts of the 64th Legislature, Regular Session, 1975, and retained the reference to Chapter 125, Acts of the 52nd Legislature. Because it is not clear whether Chapter 125, Acts of the 52nd Legislature, remains in effect with regard to regulations developed under Section 281.022, the revised law retains the reference to that chapter to preserve any ambiguity.

(5) Section 281.022(f), Parks and Wildlife Code, provides that a person who violates a Parks and Wildlife Commission regulation adopted under Section 281.022 of that code shall be punished as provided in Section 77.020 of that code. Section 77.020 is revised in pertinent part as Section 5251.9901, and the revised law is drafted accordingly.

CHAPTER 7181. DAINGERFIELD LAKE IN MORRIS COUNTY

Revised Law

Sec. 7181.0101. DISCHARGE OF FIREARM PROHIBITED. (a) Except as provided by Subsection (b), a person may not discharge a pistol or rifle in, on, along, or across Daingerfield Lake in Morris County.

(b) This section does not apply to a person:

(1) acting in the scope of the person's duties as a

peace officer or agent of the department; or

(2) hunting with a shotgun during an open season in or on Daingerfield Lake. (Parks & Wild. Code, Sec. 272.051.)

Source Law

Sec. 272.051. DISCHARGE OF FIREARMS. (a) Except as provided in Subsection (b) of this section, no person may shoot a pistol or rifle in, on, along, or across Daingerfield Lake or Lake Texarkana in Morris County.

(b) This section does not apply to peace officers, game wardens, or agents of the department in the lawful exercise of their duty or to persons hunting with a shotgun during an open season in or on Daingerfield Lake or Lake Texarkana.

Revisor's Note

Section 272.051, Parks and Wildlife Code, prohibits a person from shooting a pistol or rifle in, on, along, or across Daingerfield Lake or "Lake Texarkana" and provides exceptions to that prohibition. The revised law omits the references to "Lake Texarkana" because the provisions of Section 272.051 as applicable to Lake Texarkana are duplicated in Section 134.041, Parks and Wildlife Code, revised as Section 7441.0101.

CHAPTER 7201. FALCON LAKE IN STARR AND ZAPATA COUNTIES

Revised Law

Sec. 7201.0101. COMMERCIAL CATFISH FISHING. (a) Notwithstanding any other law and except as provided by Subsection (b), a person may engage in commercial catfish fishing in the portion of Falcon Lake in this state that borders Starr and Zapata Counties if the person:

(1) holds the required commercial fishing license issued by the department; and

(2) engages in the commercial fishing on a vessel licensed as a commercial fishing boat by the department.

(b) The department may regulate the amount of catfish taken from the portion of Falcon Lake described by Subsection (a) if the department determines that regulation is necessary to protect the

catfish population in Falcon Lake from depletion or waste.

(c) The commission may adopt rules related to commercial catfish fishing in Falcon Lake. (Parks & Wild. Code, Sec. 351.001.)

Source Law

Sec. 351.001. COMMERCIAL CATFISH FISHING. (a) Notwithstanding any other law and except as provided by Subsection (b), a person may engage in commercial catfish fishing in the portion of Falcon Lake in this state that borders Starr and Zapata Counties if the person:

(1) holds the required commercial fishing license issued by the department; and

(2) engages in the commercial fishing on a vessel licensed as a commercial fishing boat by the department.

(b) The department may regulate the amount of catfish taken from the portion of Falcon Lake described by Subsection (a) if the department determines that regulation is necessary to protect the catfish population in Falcon Lake from depletion or waste.

(c) The commission may adopt rules related to commercial catfish fishing in Falcon Lake.

CHAPTER 7221. LAKE BAIRD IN CALLAHAN COUNTY

Revised Law

Sec. 7221.0101. DISCHARGE OF FIREARM PROHIBITED. (a) Except as provided by Subsection (b), a person may not discharge a pistol or rifle in, on, along, or across Lake Baird in Callahan County.

(b) This section does not apply to a person:

(1) acting in the scope of the person's official duties as a peace officer or other representative of the department; or

(2) hunting with a shotgun during an open season in Callahan County. (Parks & Wild. Code, Sec. 130.013.)

Source Law

Sec. 130.013. DISCHARGE OF FIREARM. (a) Except as provided in this section, no person may shoot, fire, or discharge any pistol or rifle in, on, along, or across Lake Baird in Callahan County.

(b) This section does not apply to peace officers or other representatives of the department in the conduct of their official duties.

(c) This section does not apply to a person hunting with a shotgun during an open season in Callahan County.

CHAPTER 7241. LAKE LAVON IN COLLIN COUNTY

Revised Law

Sec. 7241.0101. DISCHARGE OF FIREARM PROHIBITED. (a) Except as provided by Subsection (b), a person may not discharge a firearm in, on, along, or across Lake Lavon in Collin County.

(b) This section does not apply to a person:

(1) acting in the scope of the person's duties as a peace officer or other representative of the department; or

(2) hunting with a shotgun during an open season or when it is otherwise lawful to hunt in or on Lake Lavon. (Parks & Wild. Code, Sec. 143.023.)

Source Law

Sec. 143.023. DISCHARGE OF FIREARM. (a) Except as provided in Subsections (b) and (c) of this section, no person may shoot, fire, or discharge any firearm in, on, along, or across Lake Lavon in Collin County.

(b) This section does not apply to peace officers, game wardens, or other representatives of the department in the lawful discharge of their duties.

(c) This section does not apply to a person hunting with a shotgun during an open season or when it is lawful to hunt in or on Lake Lavon.

CHAPTER 7261. LAKE SABINE IN JEFFERSON COUNTY

Revised Law

Sec. 7261.0101. RECREATIONAL USE OF CERTAIN AREAS. The governing body of the City of Port Arthur may:

(1) designate or otherwise regulate by ordinance areas of Lake Sabine within the corporate limits of the municipality as bathing, fishing, swimming, recreational, or other restricted areas; and

(2) adopt rules relating to an ordinance adopted under Subdivision (1). (Parks & Wild. Code, Sec. 223.021.)

Source Law

Sec. 223.021. RECREATIONAL USE OF LAKE SABINE. The governing body of the city of Port Arthur, with respect to the waters of Lake Sabine within the corporate limits of the city, may designate or otherwise regulate by ordinance certain areas of the lake as bathing, fishing, swimming, recreational, or other restricted areas and may adopt rules relating to that regulation.

Revisor's Note

Section 223.021, Parks and Wildlife Code, refers to a "city." Throughout this chapter, the revised law substitutes "municipality" for "city" because the meaning of "municipality" includes a city and "municipality" is the term used in the Local Government Code, except that the revised law retains a reference to the "City of Port Arthur" because that is the name specified in that municipality's charter.

Revised Law

Sec. 7261.0102. REGULATION OF BOAT SPEED. Notwithstanding any other law or rule, the governing body of the City of Port Arthur by ordinance may regulate the speed of boats on Lake Sabine within the corporate limits of the municipality. (Parks & Wild. Code, Sec. 223.023.)

Source Law

Sec. 223.023. REGULATION OF BOAT SPEEDS. Notwithstanding any other state law or rule, the governing body of the city of Port Arthur may by ordinance regulate the speed of boats on Lake Sabine within the corporate limits of the city.

CHAPTER 7281. LAKE TEXOMA IN GRAYSON AND COOKE COUNTIES

Revised Law

Sec. 7281.0101. DEFINITION. In this chapter, "Lake Texoma" means the portion of this state inundated by the water impounded by a dam across the channel of the Red River, known as Denison Dam, and any other portion of that area of land acquired by the United States for the operation of the reservoir. (Parks & Wild. Code, Sec. 46.101.)

Source Law

Sec. 46.101. LAKE TEXOMA. This subchapter applies only to Lake Texoma, which is the portion of this state inundated by the water impounded by a dam across the channel of the Red River, known as Denison Dam, and any other portion of that area of land acquired by the United States for the operation of the reservoir.

Revisor's Note

Section 46.101, Parks and Wildlife Code, provides

that Subchapter B, Chapter 46, of that code "applies only to Lake Texoma." The revised law omits the quoted language as unnecessary because there is no reading of any provision of Subchapter B, Chapter 46, revised as this chapter, that would make the provision applicable to any other area.

Revised Law

Sec. 7281.0102. FISHING LICENSE REQUIRED. (a) Except as provided by Subsection (b), a person may not catch fish in Lake Texoma unless the person holds a license issued under this chapter.

(b) Subsection (a) does not apply to a resident of this state engaged in fishing within the territorial boundaries of this state.

(c) For purposes of Subsection (b), a person is considered a resident if the person is:

(1) an individual who has resided continuously in this state for more than six months immediately before applying for a fishing license required by Subchapter B, Chapter 5153;

(2) a member of the United States armed forces on active duty;

(3) a dependent of a member of the United States armed forces on active duty; or

(4) a member of another category of individuals that the commission by regulation designates as residents. (Parks & Wild. Code, Secs. 46.0011(1), 46.102 (part), 46.103.)

Source Law

Sec. 46.0011. RESIDENT AND NONRESIDENT DEFINED. In this chapter:

(1) "Resident" means:

(A) an individual who has resided continuously in this state for more than six months immediately before applying for a fishing license required by this chapter;

(B) a member of the United States armed forces on active duty;

(C) a dependent of a member of the United States armed forces on active duty; or

(D) a member of any other category of individuals that the commission by regulation designates as residents.

Sec. 46.102. FISHING LICENSE REQUIRED. Except as provided in this subchapter, no person may catch fish in Lake Texoma unless he has acquired a license issued under this subchapter. . . .

Sec. 46.103. EXEMPTIONS. Residents of this state engaged in fishing within the territorial boundaries of this state are not required to obtain a license issued under this subchapter.

Revisor's Note

(1) Section 46.102, Parks and Wildlife Code, provides that a person may not catch fish in Lake Texoma unless the person "has acquired" a license issued under Subchapter B, Chapter 46, of that code, except as provided in that "subchapter." The revised law substitutes "holds" for "has acquired" for consistency in terminology used in this code. Additionally, the pertinent part of Subchapter B, Chapter 46, providing an exception to the requirement of Section 46.102 is Section 46.103, Parks and Wildlife Code, revised as Subsection (b) of this section, and the revised law is drafted accordingly.

(2) Section 46.103, Parks and Wildlife Code, exempts Texas residents who are fishing in the portion of Lake Texoma that is within the territorial boundaries of Texas from the requirement to obtain a license issued under Subchapter B, Chapter 46, of that code, revised as this chapter. Section 46.0011(1)(A), Parks and Wildlife Code, provides that an individual who has resided continuously in Texas for more than six months immediately before applying for a fishing license required by Chapter 46 of that code is a resident for purposes of that chapter. In this context, the applicable fishing license required by Chapter 46 is a fishing license issued under Subchapter A, Chapter 46, Parks and Wildlife Code, revised in pertinent part as Subchapter B, Chapter 5153, and the revised law is drafted accordingly.

Revised Law

Sec. 7281.0103. LAKE TEXOMA FISHING LICENSE. (a) A Lake Texoma fishing license is valid until December 31 following the date of issuance.

(b) The fee for the license is $5.75 or a greater amount set by the commission. (Parks & Wild. Code, Sec. 46.104.)

Source Law

> Sec. 46.104. LICENSE: PERIOD OF VALIDITY AND FEE. (a) A Lake Texoma fishing license is valid until December 31 following its date of issuance.
>
> (b) The fee for the license is $5.75 or an amount set by the commission, whichever amount is more.

Revised Law

Sec. 7281.0104. LAKE TEXOMA 10-DAY FISHING LICENSE. (a) A Lake Texoma 10-day fishing license is valid for 10 consecutive days including the date of issuance.

(b) The fee for the license is $1.25 or a greater amount set by the commission. (Parks & Wild. Code, Sec. 46.105.)

Source Law

> Sec. 46.105. LAKE TEXOMA 10-DAY FISHING LICENSE. (a) A Lake Texoma 10-day fishing license is valid for 10 consecutive days including the date of issuance.
>
> (b) The fee for the license is $1.25 or an amount set by the commission, whichever amount is more.

Revised Law

Sec. 7281.0105. FORM OF LICENSE. A license issued under this chapter must be on the form prescribed by the department and must contain information necessary for enforcement of this chapter as required by the department. (Parks & Wild. Code, Sec. 46.106.)

Source Law

> Sec. 46.106. FORM OF LICENSE. Licenses issued under this subchapter shall be on the form prescribed by the department and must contain information necessary for enforcement of this subchapter as required by the department.

Revised Law

Sec. 7281.0106. DIVISION OF FEES. (a) The department shall keep separate and strict account of the revenue received from licenses issued under this chapter for annual division between this

state and the state of Oklahoma.

(b) The division described by Subsection (a) shall be on a basis of the proportionate area of Lake Texoma lying within the territorial jurisdiction of each state. (Parks & Wild. Code, Sec. 46.108.)

Source Law

> Sec. 46.108. DIVISION OF FEES. The department shall keep separate and strict account of the revenue received from licenses issued under this subchapter for annual division between this state and the State of Oklahoma. The division shall be on a basis of the proportionate area of Lake Texoma lying within the territorial jurisdiction of the respective states.

Revised Law

Sec. 7281.0107. PAYMENT BY COMPTROLLER. On February 1 of each year, the comptroller shall pay to the state of Oklahoma 70 percent of the revenue collected from licenses issued under this chapter during the previous calendar year. (Parks & Wild. Code, Sec. 46.109.)

Source Law

> Sec. 46.109. PAYMENT BY COMPTROLLER. On February 1 of each year the comptroller shall pay to the state of Oklahoma 70 percent of the revenue collected from licenses issued under this subchapter during the previous calendar year.

Revised Law

Sec. 7281.0108. RULES RELATING TO POSSESSION OF LICENSE. The commission by rule may prescribe requirements relating to possessing a license required by this chapter. (Parks & Wild. Code, Sec. 46.102 (part).)

Source Law

> Sec. 46.102. FISHING LICENSE REQUIRED. . . . The commission by rule may prescribe requirements relating to possessing a license required by this subchapter.

Revised Law

Sec. 7281.0109. SOCIAL SECURITY NUMBERS OF CERTAIN MINORS. (a) The commission may not adopt a rule that requires an applicant for a license under this chapter who is 13 years of age or younger to provide the applicant's social security number.

(b) The commission by rule may require an applicant described by Subsection (a) or the applicant's parent or guardian to sign a statement that the applicant is not an obligor subject to a child support order. (Parks & Wild. Code, Sec. 11.005 (part).)

Source Law

> Sec. 11.005. SOCIAL SECURITY NUMBERS OF CERTAIN MINORS. (a) The commission may not adopt rules that require a person 13 years of age or younger who applies for a license under Chapter . . . 46 . . . to provide the applicant's social security number.
>
> (b) The commission may adopt a rule requiring an applicant described by Subsection (a) or the applicant's parent or guardian to sign a statement that the applicant is not an obligor subject to a child support order.

Revisor's Note
(End of Chapter)

(1) Section 46.110, Parks and Wildlife Code, provides that a person commits a Class C Parks and Wildlife Code misdemeanor if the person violates a provision of Subchapter B, Chapter 46, of that code, revised as this chapter. The revised law omits that provision as unnecessary because that section duplicates in substance Section 355.001, Parks and Wildlife Code, revised in Section 7951.0101, and made applicable to this title through that revision. The omitted law reads:

> Sec. 46.110. PENALTY. A person who violates a provision of this subchapter commits an offense that is a Class C Parks and Wildlife Code misdemeanor.

(2) Section 46.111, Parks and Wildlife Code, provides that Subchapter B, Chapter 46, of that code, revised as this chapter, is not effective until certain conditions are met. The revised law omits that provision because the conditions have been met and the subchapter is in effect. The omitted law reads:

> Sec. 46.111. EFFECTIVE DATE OF SUBCHAPTER. This subchapter does not become effective until:
>
> (1) the State of Oklahoma makes provision for the sale of licenses in Oklahoma that are parallel to the licenses

authorized by this subchapter;

(2) the State of Oklahoma provides for payment to this state of not less than 30 percent of all revenue collected by Oklahoma for the licenses; and

(3) the department is satisfied that this subchapter and the provisions of Oklahoma law are not in conflict and directs that this subchapter is effective.

CHAPTER 7301. LAND LEASED BY AUDUBON SOCIETY IN CAMERON AND KLEBERG COUNTIES

Revised Law

Sec. 7301.0101. PROHIBITED ACTIVITIES. (a) This section applies to the following areas during the period that the National Association of Audubon Societies is the lessee of the islands:

(1) Green Island, the group of three islands in Big Bay, and the flats, reefs, and shallow water near those islands in Cameron County; and

(2) North Bird Island, South Bird Island, and the flats, reefs, and shallow water near those islands in Kleberg County.

(b) Except as otherwise provided by this section, a person may not:

(1) enter on land described by Subsection (a) without the knowledge or consent of the National Association of Audubon Societies for the purpose of hunting a bird or for the purpose of taking or destroying a bird egg or nest;

(2) hunt or molest a bird located on land described by Subsection (a), regardless of whether the person is located on or off that land;

(3) discharge a firearm or explosive on or above land described by Subsection (a); or

(4) land, tie, or anchor a fishing boat on land described by Subsection (a).

(c) Subsection (b)(1) does not apply to an agent, representative, or employee of the National Association of Audubon Societies or an officer of this state or the United States.

(d) This section does not prohibit:

(1) an agent, representative, or employee of the National Association of Audubon Societies from:

(A) hunting birds known to prey on other birds or eggs; or

(B) taking birds and eggs for propagation, conservation, or scientific purposes; or

(2) a person from taking refuge on land described by Subsection (a) because of storms. (Parks & Wild. Code, Secs. 131.011, 237.022.)

Source Law

Sec. 131.011. AUDUBON SOCIETY LAND. (a) This section applies to Green Island and the group of three islands in Big Bay and the flats, reefs, and shallow water near those islands in Cameron County during the period that the National Association of the Audubon Societies is the lessee of those islands.

(b) No person, other than an agent, representative, or employee of the National Association of Audubon Societies or an officer of this state or the United States may enter on the land without the knowledge or consent of the association for the purpose of hunting a bird or for the purpose of taking or destroying a bird egg or nest.

(c) No person may hunt or molest a bird on the described land whether the person is on or off the described land.

(d) No person may discharge a firearm or explosive on or above the described land.

(e) No person may land, tie, or anchor a fishing boat in the described land.

(f) This section does not prohibit an agent, representative, or employee of the association from:

(1) hunting birds known to be a prey on other birds or eggs; or

(2) taking birds and eggs for propagation, conservation, or scientific purposes.

(g) This section does not prohibit a person from taking refuge on the described land because of storms.

Sec. 237.022. AUDUBON SOCIETY LAND. (a) This section applies to North Bird Island and South Bird Island and the flats, reefs, and shallow water near those islands in Kleberg County during the period that the National Association of the Audubon Societies is the lessee of those islands.

(b) No person, other than an agent, representative, or employee of the National Association of Audubon Societies or an officer of this state or the United States, may enter on the land without the knowledge or consent of the association for the purpose of hunting a bird or for the purpose of taking or destroying a bird egg or nest.

(c) No person may hunt or molest a bird on the described land whether the person is on or off the described land.

(d) No person may discharge a firearm or explosive on or above the described land.

(e) No person may land, tie, or anchor a fishing boat in the described land.

(f) This section does not prohibit an agent, representative, or employee of the association from:

(1) hunting birds known to be a prey on other birds or eggs; or

(2) taking birds and eggs for propagation, conservation, or scientific purposes.

(g) This section does not prohibit a person from taking refuge on the described land because of storms.

CHAPTER 7321. LOWER COLORADO RIVER AUTHORITY LAND

Revised Law

Sec. 7321.0101. DEFINITIONS. In this chapter:

(1) "Authority" means the Lower Colorado River Authority.

(2) "Board" means the board of directors of the authority. (New.)

Revisor's Note

The definitions of "authority" and "board" are added to the revised law for drafting convenience and to eliminate frequent, unnecessary repetition of the substance of the definitions.

Revised Law

Sec. 7321.0102. WEAPONS PROHIBITED. (a) Except as provided by Subsection (b), a person may not hunt with, possess, or shoot a firearm, bow, crossbow, or slingshot or any other weapon on or across the land of the authority.

(b) This section does not apply to:

(1) an employee of the authority;

(2) a person authorized to hunt under Section 7321.0103(c);

(3) a peace officer as defined by Article 2A.001, Code of Criminal Procedure; or

(4) a person who:

(A) possesses a handgun and a license issued under Subchapter H, Chapter 411, Government Code, to carry a handgun; or

(B) under circumstances in which the person would be justified in the use of deadly force under Chapter 9, Penal Code,

discharges a handgun the person is licensed to carry under Subchapter H, Chapter 411, Government Code. (Parks & Wild. Code, Secs. 62.081, 62.082(d).)

Source Law

> Sec. 62.081. WEAPONS PROHIBITED. Except as provided in Section 62.082 of this code, no person may hunt with, possess, or shoot a firearm, bow, crossbow, slingshot, or any other weapon on or across the land of the Lower Colorado River Authority.
>
> [Sec. 62.082]
> (d) Section 62.081 does not apply to:
> (1) an employee of the Lower Colorado River Authority;
> (2) a person authorized to hunt under Subsection (c);
> (3) a peace officer as defined by Article 2A.001, Code of Criminal Procedure; or
> (4) a person who:
> (A) possesses a handgun and a license issued under Subchapter H, Chapter 411, Government Code, to carry a handgun; or
> (B) under circumstances in which the person would be justified in the use of deadly force under Chapter 9, Penal Code, shoots a handgun the person is licensed to carry under Subchapter H, Chapter 411, Government Code.

Revised Law

Sec. 7321.0103. TARGET RANGES AND MANAGED HUNTS. (a) The board may lease authority land to be used on a nonprofit basis for a target rifle or archery range.

(b) Notwithstanding Section 7321.0102, a member of the boy scouts, the girl scouts, or another nonprofit public service group or organization may possess and shoot a firearm, bow, and crossbow for target or instructional purposes under the supervision of a qualified instructor registered with and approved by the authority on a range designated by the authority.

(c) The board may authorize lawful hunting on authority land, consistent with sound biological management practices. (Parks & Wild. Code, Secs. 62.082(a), (b), (c).)

Source Law

> Sec. 62.082. TARGET RANGES, MANAGED HUNTS, AND OTHER EXCEPTIONS; RULES. (a) The Board of Directors of the Lower Colorado River Authority may lease river authority land to be used on a nonprofit basis for a target rifle or archery range.
> (b) A member of the boy scouts or the girl scouts or other nonprofit public service group or

organization may possess and shoot a firearm, bow, and crossbow for target or instructional purposes under the supervision of a qualified instructor registered with and approved by the Lower Colorado River Authority on ranges designated by the Lower Colorado River Authority.

(c) The Board of Directors of the Lower Colorado River Authority may authorize lawful hunting on Lower Colorado River Authority lands, consistent with sound biological management practices.

Revised Law

Sec. 7321.0104. APPROVED INSTRUCTOR AND RANGE RECORDS. The authority shall maintain in its Austin office a current list of instructors approved and registered under Section 7321.0103 and a map indicating the location of the ranges designated under that section. The authority shall make the records available on request to an enforcement officer or county attorney. (Parks & Wild. Code, Sec. 62.083.)

Source Law

Sec. 62.083. APPROVED INSTRUCTOR AND RANGE RECORDS. The Lower Colorado River Authority shall maintain in its Austin office a current listing of approved and registered instructors and a map indicating the location of the designated ranges. The records shall be made available on request to enforcement officers and county attorneys.

Revised Law

Sec. 7321.0105. CERTAIN RULES INVOLVING HANDGUN LICENSE HOLDERS PROHIBITED. A state agency, including the department, the Department of Public Safety, and the authority, may not adopt a rule that prohibits a person who possesses a license issued under Subchapter H, Chapter 411, Government Code, from entering or crossing the land of the authority while:

(1) possessing a handgun; or

(2) under circumstances in which the person would be justified in the use of deadly force under Chapter 9, Penal Code, discharging a handgun. (Parks & Wild. Code, Sec. 62.082(e).)

Source Law

(e) A state agency, including the department, the Department of Public Safety, and the Lower Colorado River Authority, may not adopt a rule that prohibits a person who possesses a license issued under Subchapter H, Chapter 411, Government Code, from entering or crossing the land of the Lower Colorado River Authority while:

(1) possessing a handgun; or

(2) under circumstances in which the person would be justified in the use of deadly force under Chapter 9, Penal Code, shooting a handgun.

Revisor's Note
(End of Chapter)

Section 62.084, Parks and Wildlife Code, provides that a person commits a Class C Parks and Wildlife Code misdemeanor if the person violates Section 62.081 of that code, revised as Section 7321.0102(a). The revised law omits that provision as unnecessary for the reason stated in Revisor's Note (1) to the end of Chapter 7281. The omitted law reads:

> Sec. 62.084. PENALTY. A person who violates Section 62.081 of this code commits an offense that is a Class C Parks and Wildlife Code misdemeanor.

CHAPTER 7341. MURVAUL LAKE IN PANOLA COUNTY

Revised Law

Sec. 7341.0101. DEFINITIONS. In this chapter:

(1) "Board" means the board of supervisors of the district.

(2) "District" means the Panola County Fresh Water Supply District Number 1. (New.)

Revisor's Note

The definitions of "board" and "district" are added to the revised law for drafting convenience and to eliminate frequent, unnecessary repetition of the substance of the definitions.

Revised Law

Sec. 7341.0102. CAMPING IN CERTAIN AREAS PROHIBITED. (a) Except as provided by Subsection (b), a person may not camp on the shores of Murvaul Lake in Panola County on land owned by the district.

(b) This section does not apply to places the board designates as campsites. (Parks & Wild. Code, Sec. 283.021.)

Source Law

Sec. 283.021. CAMPING. No person may camp on

the shores of Murvaul Lake in Panola County on land owned by the Panola County Fresh Water Supply District Number 1 except at places designated as campsites by the Board of Supervisors of the Panola County Fresh Water Supply District Number 1.

Revised Law

Sec. 7341.0103. POSSESSION OF FIREARM PROHIBITED. (a) Except as provided by Subsection (b), a person may not possess for discharging a rifle or pistol on or over the water of Murvaul Lake in Panola County.

(b) This section does not apply to:

(1) a peace officer; or

(2) a regular employee of the district.

(c) Possession of a rifle or pistol within 500 feet from the water of Murvaul Lake is prima facie evidence of a violation of this section. (Parks & Wild. Code, Sec. 283.022.)

Source Law

Sec. 283.022. FIREARMS. (a) Except as provided by Subsection (b) of this section, no person may possess for shooting a rifle or pistol of any kind on or over the water of Murvaul Lake in Panola County.

(b) This section does not apply to a peace officer or game warden of this state or to a regular employee of the Panola County Fresh Water Supply District Number 1.

(c) Possession of a rifle or pistol of any kind within 500 feet from the water of Murvaul Lake is prima facie evidence of a violation of this section.

Revised Law

Sec. 7341.0104. CERTAIN WATER ACTIVITIES PROHIBITED. (a) Except as provided by Subsection (b), a person may not swim, bathe, wade, or water-ski in or on Lake Murvaul.

(b) This section does not apply to areas the board designates as areas for swimming, bathing, wading, or waterskiing. (Parks & Wild. Code, Sec. 283.023.)

Source Law

Sec. 283.023. CERTAIN WATER SPORTS ON LAKE MURVAUL. No person may swim, bathe, wade, or water ski in or on Lake Murvaul except within areas designated by the Board of Supervisors of the Panola County Fresh Water Supply District No. 1 as areas for swimming, bathing, wading, or water skiing.

CHAPTER 7361. SABINE RIVER IN HUNT COUNTY

Revised Law

Sec. 7361.0101. NAVIGABILITY. (a) The part of the Sabine River located between its source and its juncture with the east boundary line of Hunt County is not a navigable stream for the purpose of hunting and fishing rights on and along the stream. This subsection does not divest the state of whatever title it may have to the bed or water of the stream.

(b) Sections 21.012 and 21.013, Natural Resources Code, do not apply to the portion of the Sabine River described by Subsection (a). (Parks & Wild. Code, Sec. 216.021.)

Source Law

> Sec. 216.021. SABINE RIVER: NAVIGABILITY. (a) That part of the Sabine River located between its source and its juncture with the east boundary line of Hunt County is not a navigable stream for the purpose of hunting and fishing rights on and along the stream. This section does not divest the state of whatever title it may have to the bed or water of the stream.
>
> (b) Article 5302, Revised Civil Statutes of Texas, 1925, does not apply to that portion of the Sabine River described in Subsection (a) of this section.

Revisor's Note

Section 216.021(b), Parks and Wildlife Code, provides that Article 5302, Revised Civil Statutes of Texas, 1925, does not apply to the part of the Sabine River to which Section 216.021 applies. Article 5302, Revised Civil Statutes of Texas, 1925, was codified in pertinent part as Sections 21.012 and 21.013, Natural Resources Code, by Chapter 871, Acts of the 65th Legislature, Regular Session, 1977. The revised law is drafted accordingly.

CHAPTER 7381. STILLHOUSE HOLLOW RESERVOIR IN BELL COUNTY

Revised Law

Sec. 7381.0101. HUNTING IN CERTAIN AREAS PROHIBITED. (a) Except as provided by Subsection (b), a person on the water of Stillhouse Hollow Reservoir in Bell County or on land owned by the federal government and adjacent to the reservoir may not hunt any

wild bird or animal.

(b) A person may hunt birds with a shotgun on the water and land described by Subsection (a) during the open season if the person is at least 600 feet from the nearest private property line when the person discharges the shotgun. (Parks & Wild. Code, Sec. 114.011.)

Source Law

> Sec. 114.011. HUNTING PROHIBITED. (a) Except as provided by Subsection (b) of this section, no person on the water of Stillhouse Hollow Reservoir in Bell County or on land that is owned by the federal government and that is adjacent to Stillhouse Hollow Reservoir may hunt any wild bird or animal.
>
> (b) A person may hunt birds on the water of Stillhouse Hollow Reservoir in Bell County or on land that is owned by the federal government and that is adjacent to Stillhouse Hollow Reservoir during the open season only if:
>
> (1) the person is at least 600 feet from the nearest private property line when the person shoots the gun; and
>
> (2) the person uses a shotgun.

CHAPTER 7401. TRINITY RIVER, WALLISVILLE RESERVOIR, LAKE ANAHUAC, AND OYSTER BAYOU IN CHAMBERS COUNTY

Revised Law

Sec. 7401.0101. USE OF WEAPON IN CERTAIN AREAS PROHIBITED. (a) Except as provided by Subsection (c), a person may not:

(1) discharge a pistol or rifle in, on, along, or across the water of the Trinity River, Wallisville Reservoir, or Lake Anahuac in Chambers County; or

(2) discharge a pistol, shotgun, or rifle or shoot a crossbow or bow in, on, along, or across the water of Oyster Bayou in Chambers County from State Highway 65 south to the mouth of Oyster Bayou in East Bay.

(b) The waters described by Subsection (a) are part of the public fresh water of this state suited and adapted to the preservation, protection, and propagation of game and fish. This section is to aid in the preservation, protection, and propagation of game and fish.

(c) This section does not apply to a person:

(1) acting in the scope of the person's duties as a

peace officer or representative of the department; or

(2) hunting migratory waterfowl with a shotgun during an open season in and on the Trinity River or the Wallisville Reservoir.

(d) The department shall enforce the provisions of this section. An enforcement officer may arrest without a warrant a person who violates a provision of this section in the presence of the enforcement officer. (Parks & Wild. Code, Secs. 136.012, 136.013.)

Source Law

Sec. 136.012. SHOOTING IN CERTAIN PLACES. (a) No person may shoot a pistol or rifle in, on, along, or across the water of the Trinity River, Wallisville Reservoir, and Lake Anahuac in Chambers County.

(b) No person may shoot a pistol, crossbow, bow and arrow, shotgun, or rifle in, on, along, or across the water of Oyster Bayou in Chambers County from State Highway 65 south to the mouth of Oyster Bayou in East Bay.

(c) The water described in Subsections (a) and (b) of this section are part of the public fresh water of this state suited and adapted to the preservation, protection, and propagation of game and fish, and this section is to aid in the preservation, protection, and propagation of game and fish.

Sec. 136.013. ENFORCEMENT; PENALTIES. (a) Section 136.012 of this code does not apply to a person hunting migratory waterfowl with a shotgun during a prescribed open season in and on the Trinity River and the Wallisville Reservoir.

(b) Sections 136.011 and 136.012 of this code do not apply to peace officers, or representatives of the department in the lawful discharge of their duties.

(c) It is the duty of the department to enforce the provisions of this subchapter, and enforcement officers may arrest without a warrant a person violating a provision in his presence.

Revisor's Note

Section 136.013(b), Parks and Wildlife Code, refers to Section 136.011 of that code. The revised law omits the reference to Section 136.011 because that section was repealed by Chapter 9, Acts of the 68th Legislature, Regular Session, 1983.

CHAPTER 7421. TRINITY RIVER AND WALLISVILLE RESERVOIR IN LIBERTY COUNTY

Revised Law

Sec. 7421.0101. DISCHARGE OF FIREARM PROHIBITED. (a)

Except as provided by Subsection (b), a person may not discharge a pistol or rifle in, on, along, or across the water of the Trinity River or Wallisville Reservoir in Liberty County.

(b) This section does not apply to a person:

(1) acting in the scope of the person's duties as a peace officer or representative of the department; or

(2) hunting migratory waterfowl during an open season in and on the Trinity River or Wallisville Reservoir. (Parks & Wild. Code, Sec. 246.012.)

Source Law

Sec. 246.012. DISCHARGE OF FIREARMS. (a) Except as provided in Subsection (b) of this section, no person may shoot a pistol or rifle in, on, along, and across the water of the Trinity River or Wallisville Reservoir in Liberty County.

(b) This section does not apply to peace officers or representatives of the department in the lawful discharge of their duties or to a person hunting migratory waterfowl during an open season in and on the Trinity River and Wallisville Reservoir.

CHAPTER 7441. WRIGHT PATMAN LAKE IN BOWIE AND CASS COUNTIES

Revised Law

Sec. 7441.0101. DISCHARGE OF FIREARM PROHIBITED. (a) Except as provided by Subsection (b), a person may not discharge a pistol or rifle in, on, along, or across Wright Patman Lake.

(b) This section does not apply to a person:

(1) acting in the scope of the person's duties as a peace officer or representative of the department; or

(2) hunting with a shotgun during an open season or when it is otherwise lawful to hunt in or on Wright Patman Lake. (Parks & Wild. Code, Sec. 134.041.)

Source Law

Sec. 134.041. DISCHARGE OF FIREARM. (a) Except as provided in this section, no person may shoot a pistol or rifle in, on, along, or across Lake Texarkana.

(b) Subsection (a) of this section does not apply to peace officers, game wardens, or representatives of the department in the lawful discharge of their duties.

(c) Subsection (a) of this section does not apply to a person hunting with a shotgun during an open season or when it is lawful to hunt in or on Lake Texarkana.

Revisor's Note

Section 134.041, Parks and Wildlife Code, refers to "Lake Texarkana." In 1973, the United States Congress in Pub. L. No. 93-186 renamed Lake Texarkana as Wright Patman Lake. The revised law is drafted to reflect the current name of the lake.

SUBTITLE Z. ENFORCEMENT

CHAPTER 7951. PENALTIES

Revised Law

Sec. 7951.0101. CRIMINAL PENALTY. (a) A person commits an offense if the person violates this title.

(b) Except as provided by Subsection (c), an offense under this section is a Class C Parks and Wildlife Code misdemeanor.

(c) An offense under this section for a violation of Section 7241.0101 or 7301.0101 is a Class B Parks and Wildlife Code misdemeanor. (Parks & Wild. Code, Secs. 355.001, 355.002.)

Source Law

> Sec. 355.001. OFFENSES THAT ARE CLASS C PARKS AND WILDLIFE CODE MISDEMEANORS. Except as provided by Section 355.002 or 355.003 of this code, a person who violates a provision of Title 7 of this code commits an offense that is a Class C Parks and Wildlife Code misdemeanor.
>
> Sec. 355.002. OFFENSES THAT ARE CLASS B PARKS AND WILDLIFE CODE MISDEMEANORS. A person who violates any of the following provisions of Title 7 of this code commits an offense that is a Class B Parks and Wildlife Code misdemeanor:
>
> Section 131.011; 143.023; 229.021; 237.022; 334.041; or 350.021.

Revisor's Note

(1) Section 355.001, Parks and Wildlife Code, refers to Section 355.003 of that code. The revised law omits the reference to Section 355.003 because that section was repealed by Chapter 1256, Acts of the 75th Legislature, Regular Session, 1997.

(2) Section 355.002, Parks and Wildlife Code, refers to Sections 229.021, 334.041, and 350.021 of that code. The revised law omits the reference to Sections 229.021, 334.041, and 350.021 because those

sections were repealed by Chapter 1256, Acts of the 75th Legislature, Regular Session, 1997.