

SENATE AMENDMENTS

2nd Printing

By: Homer, Kuempel, Aycock, Edwards

H.B. No. 968

A BILL TO BE ENTITLED

AN ACT

relating to the use of crossbows for hunting.

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

SECTION 1. Section 43.201(a), Parks and Wildlife Code, is amended to read as follows:


(a) Except as provided by Subsection (c) or (d), no person may hunt deer, turkey, or javelina (collared peccary) during an open archery season provided by law or by the proclamations of the commission and during which season only crossbows, ~~[used by hunters with upper limb disabilities and]~~ longbows, recurved bows, and compound bows may be used unless the person has acquired an archery hunting stamp issued to the person by the department. The commission by rule may prescribe requirements relating to possessing a stamp required by this subchapter.

SECTION 2. The change in law made by this Act applies to a proceeding regarding hunting with a crossbow that is pending or filed on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2009.

ADOPTED

MAY 11 2009


Secretary of the Senate

By: Homer Harris

H.B. No. 968

Substitute the following for H.B. No. 968 :

By: 

C.S. H.B. No. 968

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8 open archery season provided by law or by the proclamations of the
9 commission and during which season only crossbows, ~~[used by hunters~~
10 ~~with upper limb disabilities and]~~ longbows, recurved bows, and
11 compound bows may be used unless the person has acquired an archery
12 hunting stamp issued to the person by the department. The
13 commission by rule may prescribe requirements relating to
14 possessing a stamp required by this subchapter. In a county that
15 does not permit hunting with a firearm, a hunter may use a crossbow
16 only if the hunter is a person with upper limb disabilities and has
17 an archery hunting stamp.

18 SECTION 2. The change in law made by this Act applies to a
19 proceeding regarding hunting with a crossbow that is pending or
20 filed on or after the effective date of this Act.

21 SECTION 3. This Act takes effect September 1, 2009.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 11, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB968 by Homer (Relating to the use of crossbows for hunting.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB968, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from <i>Game, Fish, Water Safety Ac</i> 9	Probable (Cost) from <i>Game, Fish, Water Safety Ac</i> 9
2010	\$172,554	(\$19,515)
2011	\$172,554	(\$19,515)
2012	\$172,554	(\$19,515)
2013	\$172,554	(\$19,515)
2014	\$172,554	(\$19,515)

Fiscal Analysis

The bill would amend the Parks and Wildlife Code to allow the use of crossbows by any individual during the archery-only season, provided the individual has a valid archery hunting stamp, except in a county that does not permit hunting with a firearm (Grayson County). Under current law, only hunters with upper limb disabilities may use crossbows during archery-only season. The bill would provide that hunters with upper limb disabilities would still be permitted to use a crossbow in Grayson County during the archery-only season, with a valid archery stamp. The bill would take effect September 1, 2009.

Methodology

According to the Texas Parks and Wildlife Department (TPWD) there were approximately 1,040,832 hunting license holders in fiscal year 2008. Of those, approximately 527, 279 purchased the archery

stamp needed for archery-only season, leaving 513,533 hunting license holders available to purchase the archery stamp. Of the 512,533 it is estimated that approximately 50 percent are exclusively migratory game bird hunters that would not use a crossbow. The other 50 percent (256,777) hunt deer, turkey and other game that could potentially be hunted with a crossbow.

From this population of 256,777 it is estimated that approximately 10 percent would actually hunt with a crossbow (25,677). At \$7 per stamp, this would represent a net revenue gain to the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 of \$172,554 per fiscal year, after taking into account a 4 percent agent fee charged by Walmart and other retailers who sell the stamp.

Additionally, there is a \$0.76 per unit electronic transaction fee charged to TPWD resulting in increased costs of approximately \$19,515 per fiscal year.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, SZ, ZS, TB, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 6, 2009

TO: Honorable Craig Estes, Chair, Senate Committee on Agriculture & Rural Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB968 by Homer (Relating to the use of crossbows for hunting.), **Committee Report 2nd House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB968, Committee Report 2nd House, Substituted: an impact of \$0 through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would amend the Parks and Wildlife Code to allow the use of crossbows by any individual during the archery-only season, provided the individual has a valid archery hunting stamp, except in a county that does not permit hunting with a firearm (Grayson County). Under current law, only hunters with upper limb disabilities may use crossbows during archery-only season. The bill would provide that hunters with upper limb disabilities would still be permitted to use a crossbow in Grayson County during the archery-only season, with a valid archery stamp. The bill would take effect September 1, 2009.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	\$0
2011	\$0
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain from <i>Game, Fish, Water Safety Ac</i> 9	Probable (Cost) from <i>Game, Fish, Water Safety Ac</i> 9
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Fiscal Analysis

The estimated annual revenue to the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 is \$172,554 per fiscal year, offset by additional costs of \$19,515 per fiscal year for transaction fees.

Methodology

According to the Texas Parks and Wildlife Department (TPWD) there were approximately 1,040,832 hunting license holders in fiscal year 2008. Of those, approximately 527,279 purchased the archery stamp needed for archery-only season, leaving 513,533 hunting license holders available to purchase the archery stamp. Of the 513,533 it is estimated that approximately 50 percent are exclusively migratory game bird hunters that would not use a crossbow. The other 50 percent (256,777) hunt deer, turkey and other game that could potentially be hunted with a crossbow.

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Local Government Impact

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Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, SZ, ZS, TB, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 29, 2009

TO: Honorable Craig Estes, Chair, Senate Committee on Agriculture & Rural Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB968 by Homer (Relating to the use of crossbows for hunting.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB968, As Engrossed: an impact of \$0 through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would amend the Parks and Wildlife Code to allow the use of crossbows by any individual during the archery-only season, provided the individual has a valid archery hunting stamp. Under current law, only hunters with upper limb disabilities may use crossbows. The bill would take effect September 1, 2009.

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Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, SD, ZS, TB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 9, 2009

TO: Honorable Mark Homer, Chair, House Committee on Culture, Recreation & Tourism

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB968 by Homer (Relating to the use of crossbows for hunting.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB968, As Introduced: an impact of \$0 through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would amend the Parks and Wildlife Code to allow the use of crossbows by any individual during the archery-only season, provided the individual has a valid archery hunting stamp. Under current law, only hunters with upper limb disabilities may use crossbows. The bill would take effect September 1, 2009.

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LBB Staff: JOB, WK, ZS, TB