

## **BILL ANALYSIS**

Senate Research Center  
79R13839 SGA-F

H.B. 3144  
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Natural Resources  
5/17/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

H.B. 3144 responds to an ongoing public safety problem occurring on a portion of the Big Sandy Creek in Wood County. Individuals frequently divert their vehicles from Texas Farm to Market Highway 2869 (FM 2869), which crosses the Big Sandy Creek, and drive down the man-made, concrete banks supporting the FM 2869 bridge in order to launch their boats or other types of floating devices in the creek. Accessing the creek via the man-made banks of the FM 2869 bridge is extremely dangerous, against the law, and has resulted in an erosion of the bridge's support.

Once the individuals launch their floating devices near the FM 2869 bridge, they travel in both directions along the Big Sandy Creek to hunt wild birds and wild animals, including deer and hogs, with the use of shotguns and high-powered rifles. This creates an extreme public safety problem since houses and a public golf course are located nearby. Trespass issues arise when the individuals leave the ill-defined creek bed to retrieve game from private property. Additionally, trespassers access the creek to enter into private property for the purpose of holding parties, leaving behind trash and creating an uneasiness regarding the use and enjoyment of the property.

H.B. 3144 resolves this issue by designating the relevant portion of the Big Sandy Creek on both sides of the FM 2869 bridge as an area in which no person may use a boat or any other type of floating device to hunt or to access any land to hunt any wild bird or wild animal. Private landowners and visitors of the public golf course will not be in harm's way once intruders are unable to access the portion of the creek and fire off shotguns and high-powered rifles.

### **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 Sections 62.013(b) and (c), Parks and Wildlife Code, to include Section 350.001 along with the list of existing sections to which these subsections are applicable.

SECTION 2. Amends Title 7, Parks and Wildlife Code, by adding Chapter 350, as follows:

#### **CHAPTER 350. WOOD COUNTY**

Sec. 350.001. HUNTING ON CERTAIN PARTS OF BIG SANDY CREEK. (a) Prohibits a person from using a boat or any other type of floating device to hunt or to access land to hunt any wild bird or wild animal on a part of Big Sandy Creek in Wood County that is located in certain areas.

(b) Provides that a person who violates Subsection (a) commits an offense subject to the penalties provided by Section 62.013.

SECTION 3. Effective date: September 1, 2005.