

SUBJECT: Removing restrictions on hunting with crossbows during archery season

COMMITTEE: Culture, Recreation, and Tourism — favorable, without amendment

VOTE: 7 ayes — Homer, D. Howard, T. King, Kleinschmidt, Kuempel, McCall, Thibaut

0 nays

2 absent — Dukes, Phillips

WITNESSES: For — Lee Zimmerman, North American Crossbow Federation

Against — Jim Monaghan, Lone Star Bowhunters Assoc.

On — David Sinclair, Texas Parks and Wildlife Department; (*Registered, but did not testify:* Matt Wagner, Wildlife Division, TPWD)

BACKGROUND: Under Parks and Wildlife Code, sec. 43.201, only a licensed individual with an upper limb disability may hunt deer, turkey, or javelina with a crossbow during open archery season, which generally is in October of each year. Otherwise, any licensed hunter may use a crossbow during the regular hunting season, generally from November to January. Violation is a class C Parks and Wildlife misdemeanor, punishable by a fine of between \$25 and \$500.

DIGEST: HB 968 would allow any individual to use a crossbow during open archery season if the individual had a valid archery hunting stamp.

The bill would take effect September 1, 2009, and would apply to a proceeding regarding hunting with a crossbow that was pending or filed on or after that date.

SUPPORTERS SAY: Allowing all individuals to hunt with a crossbow during open archery season would increase interest in hunting and help foster generations of hunters and wildlife conservators. Many people treat crossbows the same as other archery equipment. HB 968 would open up access to archery season to those who were not disabled but did not have the upper body

strength to enjoy traditional archery equipment, such as children or older hunters.

Although crossbows may look like guns because of the stalk and the way they are shot, they more appropriately are compared to traditional archery equipment in terms of ballistic performance and effective range. The crossbow delivers an arrow with the same type of drop as a long bow. The delivery of an arrow from a crossbow cannot be compared to the trajectory of a bullet from a gun. Also, a gun can be shot from around 400 yards away from the game, while a crossbow must be shot from a much closer distance of 50 to 100 yards.

Opening up the archery season to all individuals who hunt with a crossbow would increase license sales. Several other states, such as Maryland and Ohio, allow hunting with a crossbow during archery season and have not seen any negative effect on the archery season. In fact, the overall number of hunters during archery season has increased.

OPPONENTS
SAY:

The archery season reserves one month for hunting with traditional archery equipment. The people who participate in this specific season often do so because they enjoy the sense of heritage and the true experience of hunting. In Texas, crossbows are not archery equipment as listed by the Texas Parks and Wildlife Department. The statewide hunting and fishing proclamation defines archery equipment as the long bow, recurve bow, and compound bow. This strict definition does not include the crossbow. It is important to let archery season remain in its purest form. Hunters who enjoy crossbows have an opportunity to use them during the regular hunting season.

Crossbows shoot like guns, and crossbow manufacturers even advertise them that way. They can be cocked, loaded, and shot with one hand at a distance of about 50 to 100 yards, while traditional archery equipment, such as a vertical bow, has to be operated with two hands and shot within 25 yards of the animal, giving the animal a sporting chance. Crossbows also have the same potential for accidental discharge as guns because they often are carried cocked and loaded.

Opening up the archery season to all individuals who hunt with a crossbow may increase license sales, but there would be no way to determine if the increase was due to the unrestricted use of crossbows.

NOTES:

According to the fiscal note, HB 938 would result in an estimated net annual revenue gain of \$153,039 to the Game, Fish, and Water Safety Account, which are general revenue-dedicated funds. The Parks and Wildlife Department projects that 25,677 additional hunters would pay \$7 for an archery stamp to hunt with a crossbow during the archery-only season.

During the 2007 regular session, the 80th Legislature considered a similar bill, HB 1334 by Homer, which passed the House on the Local, Consent, and Resolutions Calendar, but died when it did not receive an affirmative vote in the Senate Natural Resources Committee.