

## **BILL ANALYSIS**

Senate Research Center  
78R880 EMT-D

S.B. 80  
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Intergovernmental Relations  
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As Filed

### **DIGEST AND PURPOSE**

Many municipalities have problems with individuals shooting firearms within city limits during certain holidays such as July 4th and New Year's Eve. Consequently, persons have been injured or killed by stray bullets. The offense of reckless discharge of a firearm in certain municipalities is currently a Class A misdemeanor. As proposed, S.B. 80 would make reckless discharge of a firearm a state jail felony.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 42.12(b), Penal Code, to provide that an offense under this section (reckless discharge of a firearm) is a state jail felony, rather than a Class A misdemeanor. Provides that Section 12.35 (c) (1) does not apply to the punishment for an offense under this section.

SECTION 2. Effective date: September 1, 2003  
Makes application of this Act prospective.