

## **BILL ANALYSIS**

Senate Research Center

S.B. 1742  
By: Shapiro, Nelson  
Intergovernmental Relations  
8/3/2009  
Enrolled

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

Landowners who had their land annexed after September 1, 1981, are currently authorized to use their land for hunting purposes. This change to the law allows landowners with large tracts of land to discharge firearms and to lease their land for hunting purposes, while making concessions for public safety.

In areas that are being rapidly annexed and in suburbs, there are cases in which large tracts of land are located next to hospitals, parks, schools, and residential areas. In these cases, there is concern among both residents and local law enforcement officials with regard to firearms being discharged in close proximity to these locations.

S.B. 1742 relates to the regulation of the discharge of firearms and certain other weapons by certain municipalities.

### **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 Chapter 229, Local Government Code, by adding Section 229.003, as follows:

Sec. 229.003. REGULATION OF DISCHARGE OF WEAPON BY CERTAIN MUNICIPALITIES. (a) Provides that this section applies only to a municipality located wholly or partly in a county with a population of 450,000 or more, in which all or part of the municipality with a population of one million or more is located, and that is located adjacent to a county with a population of two million or more.

(b) Prohibits a municipality, notwithstanding Section 229.002 (Regulation of Discharge Weapon), from applying a regulation relating to the discharge of firearms or other weapons in the extraterritorial jurisdiction of the municipality or in an area annexed by the municipality after September 1, 1981, if the firearm or other weapon is:

(1) a shotgun, air rifle or pistol, BB gun, or bow and arrow discharged:

(A) on a tract of land of 10 acres or more and:

(i) more than 1,000 feet from the property line of a public tract of land, generally accessible by the public, that is routinely used for organized sporting or recreational activities or that has permanent recreational facilities or equipment and the property line of a school, hospital, or commercial day-care facility;

(ii) more than 600 feet from the property line of a residential subdivision and the property line of a multifamily residential complex; and

(iii) more than 150 feet from a residence or occupied building located on another property; and

(B) in a manner not reasonably expected to cause a projectile to cross the boundary of the tract;

(2) a center fire or rim fire rifle or pistol of any caliber discharged:

(A) on a tract of land 50 acres or more and:

(i) more than 1,000 feet from the property line of a public tract of land, generally accessible by the public, that is routinely used for organized sporting or recreational activities or that has permanent recreational facilities or equipment and the property line of a school, hospital, or commercial day-care facility;

(ii) more than 600 feet from the property line of a residential subdivision and the property line of a multifamily residential complex; and

(iii) more than 300 feet from a residence or occupied building located on another property; and

(B) in a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or

(3) discharged at a sport shooting range, as defined by Section 250.001 (Restriction on Regulation of Sport Shooting Ranges), in a manner not reasonably expected to cause a projectile to cross the boundary of a tract of land.

SECTION 2. Effective date: upon passage or September 1, 2009.