

Suspending limitations on conference committee  
jurisdiction, S.B. No. 1742 (Shapiro/Paxton)

By: Paxton

H.R. No. 2924

R E S O L U T I O N

BE IT RESOLVED by the House of Representatives of the State of Texas, 81st Legislature, Regular Session, 2009, That House Rule 13, Section 9(a), be suspended in part as provided by House Rule 13, Section 9(f), to enable the conference committee appointed to resolve the differences on Senate Bill 1742 (the regulation of the discharge of firearms and certain other weapons by certain municipalities) to consider and take action on the following matters:

(1) House Rule 13, Sections 9(a)(1), (2), and (3), are suspended to permit the committee to change text not in disagreement and to add text in proposed Sections 229.003(b)(1) and (2), Local Government Code, so that the subdivisions read as follows:

(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:

(a) 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

(b) the property line of a school, hospital, or commercial day-care facility;

(ii) more than 600 feet from:

1                                    (a) the property line of a residential  
2 subdivision; and

3                                    (b) the property line of a multifamily  
4 residential complex; and

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

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

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

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

12                                    (i) more than 1,000 feet from:

13                                    (a) the property line of a public  
14 tract of land, generally accessible by the public, that is  
15 routinely used for organized sporting or recreational activities or  
16 that has permanent recreational facilities or equipment; and

17                                    (b) the property line of a school,  
18 hospital, or commercial day-care facility;

19                                    (ii) more than 600 feet from:

20                                    (a) the property line of a residential  
21 subdivision; and

22                                    (b) the property line of a multifamily  
23 residential complex; and

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

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

1           Explanation: The changes in text are necessary to limit the  
2 areas in which certain municipalities can regulate the discharge of  
3 certain weapons. The additions are necessary to include the areas  
4 around schools, hospitals, and commercial day-care facilities in  
5 the areas in which certain municipalities can regulate the  
6 discharge of certain weapons.

7           (2) House Rule 13, Section 9(a)(2), is suspended to permit  
8 the committee to omit text not in disagreement in proposed Section  
9 229.003(c), Local Government Code, in the house version of the bill  
10 and in proposed Section 229.002(b), Local Government Code, in the  
11 senate version of the bill, that reads as follows:

12           A municipality may adopt and enforce a regulation prohibiting  
13 or restricting excessive noise from the discharge of a firearm in  
14 the extraterritorial jurisdiction of the municipality or in an area  
15 annexed by the municipality after September 1, 1981.

16           Explanation: This omission is necessary so that the Act does  
17 not permit certain municipalities to adopt and enforce a regulation  
18 prohibiting or restricting excessive noise from the discharge of a  
19 firearm in certain areas.