

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

By: Paxton

H.R. No. 2991

R E S O L U T I O N

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

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

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

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

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

18 (a) the property line of a public
19 tract of land, generally accessible by the public, that is
20 routinely used for organized sporting or recreational activities or
21 that has permanent recreational facilities or equipment; and

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

24 (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 Explanation: This omission is necessary so that the Act does
13 not permit certain municipalities to adopt and enforce a regulation
14 prohibiting or restricting excessive noise from the discharge of a
15 firearm in certain areas.