

By: Shapiro, Nelson

S.B. No. 1742

A BILL TO BE ENTITLED

AN ACT

relating to municipal regulation of the discharge of firearms and certain other weapons.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 229.002, Local Government Code, is amended to read as follows:

Sec. 229.002. REGULATION OF DISCHARGE OF WEAPON. A municipality may not apply 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 more than:

(i) 1,000 [150] feet from an [a residence or] occupied building, including a residence, located on another property; and

(ii) 1,500 feet from:

(a) an occupied building that is a school, day-care facility, nursing home facility, or adult day-care facility located on another property;

(b) the property line of a public tract of land used for outdoor recreation;

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

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

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

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

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

11 (i) 1,000 [300] feet from an [a residence
12 or] occupied building, including a residence, located on another
13 property; and

14 (ii) 1,500 feet from:

15 (a) an occupied building that is a
16 school, day-care facility, nursing home facility, or adult day-care
17 facility located on another property;

18 (b) the property line of a public
19 tract of land used for outdoor recreation;

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

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

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

26 SECTION 2. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.