

Suspending limitations on conference committee
jurisdiction, S.B. No. 1742

By: Shapiro

S.R. No. 1077

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 81st Legislature, Regular Session, 2009, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill No. 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) Senate Rules 12.03(1), (2), and (3) are suspended to permit the committee to change text not in disagreement and to add text in proposed Subdivisions (1) and (2), Subsection (b), Section 229.003, 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:

(a) the property line of a

residential subdivision; and

(b) 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 of 50 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:

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

(b) 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

Explanation: The changes in text are necessary to limit the areas in which certain municipalities can regulate the discharge of certain weapons. The additions are necessary to include the areas around schools, hospitals, and commercial

day-care facilities in the areas in which certain municipalities can regulate the discharge of certain weapons.

(2) Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement in proposed Subsection (c), Section 229.003, Local Government Code, in the house version of the bill and in proposed Subsection (b), Section 229.002, Local Government Code, in the senate version of the bill, that reads as follows:

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

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

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on June 1, 2009.

Secretary of the Senate