

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 20, 2011**

**TO:** Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: SB766** by Estes (Relating to the liability of a sport shooting range and the regulation of firearms, ammunition, firearm supplies, and sport shooting ranges.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Civil Practice and Remedies Code to include a sport shooting range in the list of entities protected from a governmental suit in regard to the recovery of damages resulting from, or injunctive relief or abatement of a nuisance relating to the lawful discharge of a firearm. The bill would specify that a governmental unit may enforce a valid ordinance, statute or regulation for a sport shooting range's construction if the range begins operation after September 1, 2011. The bill would include limitations on private suits against a sport shooting range and specify the need of expert witnesses in a suit.

The bill would amend the Local Government Code to prohibit a municipality or a county from regulating the discharge of a firearm at a sport shooting range, notwithstanding any other law. A municipality could still regulate the hours of operation of a sport shooting range as long as the hours are not limited more than the least limited hours of any other business in the municipality besides businesses licensed to sell alcoholic beverages for on-premise consumption. A county could still regulate an outdoor sport shooting range pursuant with Subchapter B of Chapter 235. The bill would require a minimum of twenty individuals to discharge a firearm in a calendar year in order to qualify as a private club or association in relation to a sport shooting range.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, KM, JB