

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 27, 2013**

**TO:** Honorable Joseph Pickett, Chair, House Committee on Homeland Security & Public Safety

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB801** by Muñoz, Jr. (Relating to the discharge of a firearm across the property line of a school; providing criminal penalties.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend portions of the Parks and Wildlife Code to prohibit the discharge of a firearm across the property line of an educational facility. Under bill provisions, an individual commits an offense if the person knowingly discharges a firearm while hunting or engaging in recreational shooting, and the projectile travels across the property line of an educational facility. The penalty would be a Class C Parks and Wildlife misdemeanor unless students were present at the educational facility in which case it would be a Class A Parks and Wildlife misdemeanor. The bill may result in a minimal positive fiscal implication to the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 to the extent additional revenues from penalties paid are deposited to the account; however, the fiscal implication to the account is not anticipated to be significant.

Also, under bill provisions, TPWD would be required to place signs in appropriate places (near schools) to alert hunters of the proximity to the school and the penalty for violation. TPWD would be required to include in the department's Hunter Education programs instructions concerning this prohibition and the appropriate penalty.

TPWD reports there are approximately 11,000 public and private schools in Texas. TPWD estimates that 95 percent of these schools are located in urban/suburban areas where signs would not be applicable. TPWD estimates the remaining 5 percent or 550 schools would be located in rural areas where hunting near the school premises would be possible and require signage. TPWD estimates there would be a minimal cost with placing signs near those schools needing proper signage, and this analysis assumes the department could reasonably absorb this expense within the department's existing resources.

The bill would be effective September 1, 2013.

**Local Government Impact**

Costs associated with enforcement, prosecution and confinement could be absorbed within existing resources.

**Source Agencies:** 802 Parks and Wildlife Department

**LBB Staff:** UP, ESi, TB, KKR, JPo