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Chapter 1230

AN ACT

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

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

SECTION 1. Chapter 229, Local Government Code, is amended by adding Section 229.003 to read as follows:

Sec. 229.003. REGULATION OF DISCHARGE OF WEAPON BY CERTAIN MUNICIPALITIES. (a) This section applies only to a municipality located wholly or partly in a county:

(1) with a population of 450,000 or more;

(2) in which all or part of a municipality with a population of one million or more is located; and

(3) that is located adjacent to a county with a population of two million or more.

(b) Notwithstanding Section 229.002, 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:

(i) more than 1,000 feet from:

(a) the property line of a public

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1 tract of land, generally accessible by the public, that is
2 routinely used for organized sporting or recreational activities or
3 that has permanent recreational facilities or equipment; and
4 (b) the property line of a school,
5 hospital, or commercial day-care facility;
6 (ii) more than 600 feet from:
7 (a) the property line of a residential
8 subdivision; and
9 (b) the property line of a multifamily
10 residential complex; and
11 (iii) more than 150 feet from a residence or
12 occupied building located on another property; and
13 (B) in a manner not reasonably expected to cause
14 a projectile to cross the boundary of the tract;
15 (2) a center fire or rim fire rifle or pistol of any
16 caliber discharged:
17 (A) on a tract of land of 50 acres or more and:
18 (i) more than 1,000 feet from:
19 (a) the property line of a public
20 tract of land, generally accessible by the public, that is
21 routinely used for organized sporting or recreational activities or
22 that has permanent recreational facilities or equipment; and
23 (b) the property line of a school,
24 hospital, or commercial day-care facility;
25 (ii) more than 600 feet from:
26 (a) the property line of a residential
27 subdivision; and

1 (b) the property line of a multifamily
2 residential complex; and

3 (iii) more than 300 feet from a residence or
4 occupied building located on another property; and

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

7 (3) discharged at a sport shooting range, as defined
8 by Section 250.001, in a manner not reasonably expected to cause a
9 projectile to cross the boundary of a tract of land.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2009.

S.B. No. 1742

David Newkum
President of the Senate

Jim Strawn
Speaker of the House

I hereby certify that S.B. No. 1742 passed the Senate on April 16, 2009, by the following vote: Yeas 31, Nays 0; May 29, 2009, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 30, 2009, House granted request of the Senate; June 1, 2009, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Datsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1742 passed the House, with amendment, on May 27, 2009, by the following vote: Yeas 147, Nays 1, one present not voting; May 30, 2009, House granted request of the Senate for appointment of Conference Committee; May 31, 2009, House adopted Conference Committee Report by the following vote: Yeas 140, Nays 4, two present not voting.

Robert Haney
Chief Clerk of the House

Approved:
19 JUN '09
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK
JUN 19 2009

Coly Hunter III