

- SUBJECT:** Permitting discharge of firearms within the city limits of Fort Worth
- COMMITTEE:** Homeland Security and Public Safety — committee substitute recommended
- VOTE:** 8 ayes — S. Miller, Fletcher, Beck, Burnam, Driver, Flynn, Mallory Caraway, Walle  
0 nays  
1 absent — Peña
- WITNESSES:** For — Wallace Hall, Trinity River Mitigation Bank  
Against — Noe Perez; (*Registered, but did not testify:* Magdaleno Gonzales)
- BACKGROUND:** Local Government Code, sec. 229.001 (b) (2) allows municipalities to regulate the discharge of firearms within the city limits.  
  
In 2009, the Legislature enacted SB 1742 by Shapiro, which prohibited cities in Collin County from restricting the discharge of firearms on tracts of 10 acres or more within their extraterritorial jurisdictions or areas annexed on or before September 1, 1981. The amendments to Local Government Code, chapter 229, set various distance requirements from parks, schools, hospitals, day-care centers, and residential neighborhoods where firearms could be fired.
- DIGEST:** CSHB 2127 would amend Local Government Code, ch. 229, to add sec. 229.004, that would prevent Fort Worth from prohibiting the discharge of weapons on tracts of more than 100 acres in its extraterritorial jurisdiction or areas annexed on or before September 1, 1981, if the firearm or other weapon was:
- a shotgun, air rifle or pistol, BB gun, or bow and arrow discharged on a tract of land of 100 acres or more and more than 150 feet from a residence or other occupied building in a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or

- a center fire or rim fire rifle or pistol on a tract of land of 100 acres or more and more than 300 feet from a residence or occupied building in a manner not reasonably expected to cause a projectile to cross the boundary of the tract.

The bill would take immediate effect if it finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

**SUPPORTERS  
SAY:**

CSHB 2127 would limit the exemption to large tracts of property within Fort Worth that would be isolated enough from other property to permit hunting to be done safely. One area that could benefit from the bill consists of more than 1,400 acres of wetlands in a preserve along the Trinity River bottoms. The area remains extremely rural in character, despite the dense urbanization in the rest of Tarrant County. Allowing hunting would help stop feral hogs and rabbits from depredate trees and other vegetation planted to maintain the wetlands.

The Legislature should retain the discretion to bracket legislation to address local needs. State statutes should not be a one-size-fits all, given the size and diversity of Texas.

**OPPONENTS  
SAY:**

Laws protecting the right to bear arms and to hunt should remain consistent across the state. The Legislature should be cautious about creating local exceptions. CSHB 2127 would essentially create a private hunting preserve. However, other local bills, such as the Collin County legislation last session, could lead to cities trying to carve out stricter regulations on hunting.