

SUBJECT: Authorizing signage to alert hunters of school location

COMMITTEE: Homeland Security and Public Safety — committee substitute recommended

VOTE: 7 ayes — Pickett, Fletcher, Dale, Flynn, Lavender, Sheets, Simmons
0 nays
2 absent — Cortez, Kleinschmidt

WITNESSES: For — Rene Gutierrez, Edinburg CISD (*Registered, but did not testify*: Dr. Martin Castillo and Carlos Guzman, Edinburg CISD)

Against — None

On — Ana Correa Yanez, Texas Criminal Justice Coalition (*Registered, but did not testify*: David Sinclair, Texas Parks and Wildlife Department)

BACKGROUND: Texas requires mandatory hunter education for every hunter, including those from out of state, born on or after September 2, 1971. Annually more than 30,000 youth and adults become certified under the program operated by the Texas Department of Parks and Wildlife (TDPW).

DIGEST: CSHB 801 would add provisions for school districts to request signage alerting hunters to the location of a nearby school. It also would require TDPW to educate hunters about the danger of discharging a firearm across the property line of a school.

At the request of a school district, the Texas Department of Transportation (TxDOT) would be required to place signs in appropriate places along state or federal highways to alert hunters to the proximity of a school. TxDOT also would be required to act jointly with cities and counties to place signs along roadways maintained by those entities. School districts would be required to pay for the signs.

The bill would require TDPW to include information in its mandatory

hunter education program about a hunter's personal responsibility for discharging a firearm, awareness of school property and other surroundings and the danger of discharging a firearm across a school property line. This information also would be made available in any written or Internet-based material produced by TDPW for the hunting public.

The bill would take effect September 1, 2013.

**SUPPORTERS
SAY:**

CSHB 801 would raise awareness of the dangers of discharging a firearm near school property. It would do this through the appropriate placement of signs on nearby highways and roads and through enhanced hunter education.

The bill properly charges TxDOT with determining whether the signs should be placed. If the request meets TxDOT's standards, then the school district would pay for the signs.

The bill is designed to protect children and school employees from bullets reaching school property. In December 2011, two boys were trying out for the basketball team at a middle school in the Edinburg CISD when they were struck by bullets fired from a nearby property. One boy is paralyzed and bound to a wheelchair and the other lost a kidney and suffered other damage to internal organs.

Texas is a growing state and as more schools are located in formerly rural areas, the problem of stray gunfire crossing school property is expected to increase. This is a common-sense proposal that does not interfere with property owner or gun owner rights.

**OPPONENTS
SAY:**

Texas does not need another state law specifying highway signage. The issue could be handled at the local level without involving TxDOT.