

## **BILL ANALYSIS**

Senate Research Center  
82R19120 NC-D

H.B. 2127  
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Agriculture & Rural Affairs  
5/11/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Many owners of land in certain areas of Texas whose land was annexed after September 1, 1981, are currently authorized to use the land for hunting purposes. Observers note that legislation enacted by a recent legislature granted owners of large tracts of land the ability to discharge firearms on those tracts of land to lease the land for hunting purposes while still maintaining public safety and the protection of surrounding hospitals, parks, schools, and residential areas. Interested parties contend that the scope of this authorization should be expanded so that additional landowners in certain areas may use land in the same manner without jeopardizing public safety or compromising the public's welfare.

H.B. 2127 amends current law relating to the municipal regulation of the discharge of firearms and certain other weapons in certain counties.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 229, Local Government Code, by adding Section 229.004, as follows:

Sec. 229.004. REGULATION OF DISCHARGE OF WEAPON BY CERTAIN MUNICIPALITIES. (a) Provides that this section applies only to a municipality located in a county in which the majority of the population of two or more municipalities with a population of 300,000 or more are located.

(b) Prohibits a municipality, notwithstanding Section 229.002 (Regulation of Discharge of Weapon), from applying 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 on or before September 1, 1981, if the firearm or other weapon is:

(1) 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 occupied building located on another property, and in a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or

(2) a center fire or rim fire rifle or pistol of any caliber discharged on a tract of land of 100 acres or more and more than 300 feet from a residence or occupied building located on another property, and in a manner not reasonably expected to cause a projectile to cross the boundary of the tract.

SECTION 2. Effective date: upon passage or September 1, 2011.