

BILL ANALYSIS

Senate Research Center

S.B. 734
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Intergovernmental Relations
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Enrolled

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, if a municipality annexes property, the regulations of the municipality will apply to that property. In some parts of the state, large tracts of land that have traditionally been used for hunting leases have been annexed. Upon annexation, the municipality frequently informs the owners of these large tracts that they can no longer discharge firearms on the property, thereby ending their right to lease their property for hunting. Many owners of these large tracts depend on the revenue generated from their hunting leases.

S.B. 734 prevents municipalities from restricting the discharge of firearms on recently annexed tracts of land under certain conditions that protect the public safety.

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 Section 251.002(1), Agriculture Code, to redefine "agricultural operation."

SECTION 2. Amends Section 251.005, Agriculture Code, by amending Subsection (c) and adding Subsection (c-1) to provide that a governmental requirement of a city is inapplicable to an agricultural operation situated outside the corporate boundaries of the city, unless the requirement is reasonably necessary to protect persons on public property in the immediate vicinity of the agricultural operation from certain dangers including the discharge of weapons, except as provided by Section 229.002, Local Government Code.

SECTION 3. Amends Section 43.002, Local Government Code, by amending Subsection (c) and adding Subsection (d), to provide that a municipality may impose a regulation relating to the discharge of firearms or other weapons only as subject to the restrictions in Section 229.002.

SECTION 4. Amends Chapter 229, Local Government Code, by adding Section 229.002, as follows:

Sec. 229.002. REGULATION OF DISCHARGE OF WEAPON. Prohibits a municipality 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 after a certain date, if the firearm or weapon is discharged under certain conditions.

SECTION 5. Effective date: upon passage or September 1, 2005.