

CHAPTER 667

S.B. No. 583

AN ACT

relating to the authority of a county to regulate the discharge of firearms in the unincorporated area of the county; providing criminal penalties.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. SUBDIVISIONS SUBJECT TO ACT. This Act applies only to a subdivision all or a part of which is located in the unincorporated area of a county and for which a plat is required to be prepared and filed under Section 2.401 or 2.402, County Road and Bridge Act (Article 6702-1, Vernon's Texas Civil Statutes).

SECTION 2. AUTHORITY TO REGULATE. To promote the public safety, the commissioners court of a county by order may prohibit or otherwise regulate the discharge of firearms on lots that are 10 acres or smaller in the unincorporated area of the county in a subdivision.

SECTION 3. PROHIBITED REGULATIONS. This Act does not authorize the commissioners court to regulate the transfer, ownership, possession, or transportation of firearms and does not authorize the court to require the registration of firearms.

SECTION 4. INJUNCTION. Any person is entitled to appropriate injunctive relief to prevent a violation or threatened violation of a prohibition or other regulation adopted under this Act from continuing or occurring.

SECTION 5. CRIMINAL PENALTY. A person commits an offense if the person intentionally or knowingly engages in conduct that is a violation of a regulation adopted under this Act by the commissioners court. An offense under this section is a Class C misdemeanor. If it is shown on the trial of an offense under this section that the person has previously been convicted of an offense under this section, the offense is a Class B misdemeanor.

SECTION 6. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

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70th LEGISLATURE—REGULAR SESSION

Passed the Senate on March 26, 1987, by the following vote: Yeas 22, Nays 1; and that the Senate concurred in House amendments on May 28, 1987, by a viva-voce vote.

Passed the House, with amendments, on May 26, 1987, by a non-record vote.

Approved June 19, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.