By: Martinez H.B. No. 103

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the criminal offense of reckless discharge of a firearm in certain municipalities and counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 42.12, Penal Code, is amended to read as follows:

Sec. 42.12. RECKLESS DISCHARGE OF FIREARM IN CERTAIN MUNICIPALITIES AND COUNTIES.

SECTION 2. Sections 42.12(a) and (d), Penal Code, are amended to read as follows:

(a) A person commits an offense if the person recklessly discharges a firearm:

(1) inside the corporate limits of a municipality having a population of 100,000 or more; or

(2) in a county with a population of 500,000 or more.

(d) Subsection (a) does not affect the authority of a county or municipality under other law to enact an order or ordinance which prohibits the discharge of a firearm.

SECTION 3. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the

effective date of this Act if any element of the offense occurred before that date.

SECTION 4. This Act takes effect September 1, 2027.