

THE STATE OF TEXAS

MISCELLANEOUS ORDER  
REGULATE THE DISCHARGE OF FIREARMS IN  
UNINCORPORATED SUBDIVISIONS  
ADMINISTRATIVE SERVICES

COUNTY OF COLLIN


On **May 24, 2005**, the Commissioners Court of Collin County, Texas, met in **regular session** with the following members present and participating, to wit:


**Ron Harris**  
**Phyllis Cole**  
**Jerry Hoagland**  
**Joe Jaynes**  
**Jack Hatchell**


**County Judge, Presiding**  
**Commissioner, Precinct 1**  
**Commissioner, Precinct 2**  
**Commissioner, Precinct 3**  
**Commissioner, Precinct 4**


During such session the court considered a request for approval to regulate firearm discharges in unincorporated subdivisions.


Thereupon, a motion was made, seconded and carried with a majority vote of the court for approval to regulate firearm discharges in unincorporated subdivisions. Same is hereby approved in accordance with the attached documentation.

  
\_\_\_\_\_  
Ron Harris, County Judge


  
\_\_\_\_\_  
Phyllis Cole, Commissioner, Pct. 1

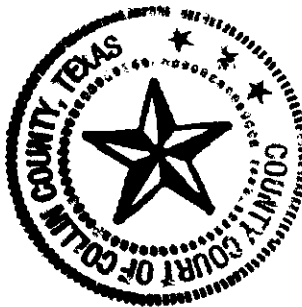
  
\_\_\_\_\_  
Jerry Hoagland, Commissioner, Pct. 2

  
\_\_\_\_\_  
Joe Jaynes, Commissioner, Pct. 3

  
\_\_\_\_\_  
Jack Hatchell, Commissioner, Pct. 4

ATTEST:

  
\_\_\_\_\_  
Brenda Taylor, Ex-Officio Clerk  
Commissioners' Court  
Collin County, T E X A S



# COMMISSIONERS' COURT AGENDA REQUEST FORM

REQUESTS MUST BE RECEIVED NO LATER THAN 9:00 AM

This space for Court Clerk

**AGENDA NUMBER:** \_\_\_\_\_

ON THE TUESDAY PRIOR TO THE TUESDAY MEETING.

RECEIVED  
COMMISSIONER'S COURT

REGULAR \_\_\_\_\_  
CONSENT \_\_\_\_\_

2005 MAY -9 PM 1:47 JB

## REQUESTING DEPARTMENT

Date: 5/6/05 Court Date: 5/24/05 Phone/Ext: 4675 Department: Admin. Services

Description of Agenda Item: Discussion and any action related to  
Regulating Firearm Discharges in Unincorporated Subdivisions.

### BUDGET RELATED INFORMATION

*MUST COMPLETE FOR ALL EXPENDITURES/RFP'S*

This item is part of the current budget:  Yes  
 No

Amount Budgeted: \_\_\_\_\_  
(or needed)  
Account Number: \_\_\_\_\_

DEPARTMENT HEAD  
SIGNATURE: B: A B: J

## PURCHASING DEPARTMENT ACTION & COMMENTS

Enter "not to exceed" cost estimate(s) for the requested item(s): \_\_\_\_\_

CHECK TWO OF THE BELOW			
ADVERTISE	<input type="checkbox"/>	BIDS	<input type="checkbox"/>
AWARD	<input type="checkbox"/>	PROPOSALS	<input type="checkbox"/>

BOND REQUIRED: \_\_\_\_\_ INS. REQ'D: \_\_\_\_\_  
ANNUAL ACTION: \_\_\_\_\_ EFFECTIVE: \_\_\_\_\_  
AD DATES: \_\_\_\_\_ OPEN DATE/TIME: \_\_\_\_\_

Item Description for Agenda: \_\_\_\_\_

Remarks: \_\_\_\_\_

PURCHASING AGENT  
SIGNATURE: \_\_\_\_\_

## AUDITOR'S OFFICE ACTION & COMMENTS

BUDGET/FUNDING VERIFICATION			
BUDGETED	<input type="checkbox"/>	FUNDS AVAILABLE	<input type="checkbox"/>
UNBUDGETED	<input type="checkbox"/>	ACCOUNT NUMBER FOR AVAILABLE FUNDS	<input type="checkbox"/>
FUNDS NOT AVAILABLE	<input type="checkbox"/>	(Needed for Agenda Submission)	

BUDGET AMENDMENT REQUIRED	
NON-EMERGENCY, Sec 111.011 LGC	<input type="checkbox"/>
EMERGENCY, Sec 111.010 LGC	<input type="checkbox"/>

### FUNDS TRANSFER RECOMMENDATION

AMOUNT	DEPARTMENT NAME	ACCOUNT NUMBER
\$ _____ From	_____	_____
\$ _____ From	_____	_____
\$ _____ To	_____	_____
\$ _____ To	_____	_____

Remarks: \_\_\_\_\_

COUNTY AUDITOR  
SIGNATURE: \_\_\_\_\_

## BUDGET DEPARTMENT ACTION & COMMENTS

COMMENTS RELATED TO BUDGET AMENDMENT JUSTIFICATION SUBMITTED BY DEPARTMENT

BUDGET OFFICER  
SIGNATURE: \_\_\_\_\_



# COLLIN COUNTY

Administrative Services  
210 S. McDonald Street  
Suite 626  
McKinney, Texas 75069  
[www.collincountytx.gov](http://www.collincountytx.gov)

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**To:** Commissioners Court

**From:** Bill Bilyeu

**Date:** May 5, 2005

**Re:** Regulating Firearm Discharges in Unincorporated Subdivisions

It is requested that in the interest of public safety, the Commissioners Court adopt an order prohibiting the discharge of firearms on lots of 10 acres or smaller in subdivisions in which all or part of the subdivision is located in the unincorporated area of Collin County. The effected subdivisions are defined by Chapter 232 of the Local Government Code. The Commissioners Court has authority to adopt this prohibition pursuant to Section 235.022 of the Local Government Code (copy attached).

If adopted, a violation of this prohibition is a Class C misdemeanor. Subsequent violations are Class B misdemeanors. In addition, effected persons may file for injunctive relief for the enforcement of this order.

I am available for questions.

TEXAS LOCAL GOVERNMENT CODE  
SUBCHAPTER B. FIREARMS

§ 235.021. SUBDIVISIONS COVERED BY SUBCHAPTER. This subchapter 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 Chapter 232.

Added by Acts 1989, 71st Leg., ch. 1, § 55(a), eff. Aug. 28, 1989. Renumbered from § 240.021 by Acts 2001, 77th Leg., ch. 1420, § 12.003(9), eff. Sept. 1, 2001.

§ 235.022. 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 and are located in the unincorporated area of the county in a subdivision.

Added by Acts 1989, 71st Leg., ch. 1, § 55(a), eff. Aug. 28, 1989. Renumbered from § 240.022 by Acts 2001, 77th Leg., ch. 1420, § 12.003(9), eff. Sept. 1, 2001.

§ 235.023. PROHIBITED REGULATIONS. This subchapter 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.

Added by Acts 1989, 71st Leg., ch. 1, § 55(a), eff. Aug. 28, 1989. Renumbered from § 240.023 by Acts 2001, 77th Leg., ch. 1420, § 12.003(9), eff. Sept. 1, 2001.

§ 235.024. 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 subchapter from continuing or occurring.

Added by Acts 1989, 71st Leg., ch. 1, § 55(a), eff. Aug. 28, 1989. Renumbered from § 240.024 by Acts 2001, 77th Leg., ch. 1420, § 12.003(9), eff. Sept. 1, 2001.

§ 235.025. 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 subchapter 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.

Added by Acts 1989, 71st Leg., ch. 1, § 55(a), eff. Aug. 28, 1989. Renumbered from § 240.025 by Acts 2001, 77th Leg., ch. 1420, § 12.003(9), eff. Sept. 1, 2001.