

By: Isaac, Bumgarner, et al.

H.B. No. 3137

A BILL TO BE ENTITLED

AN ACT

relating to prohibited local regulation with respect to a firearm or air gun.

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

SECTION 1. Section 229.001(a), Local Government Code, is amended to read as follows:

(a) Notwithstanding any other law, including Section 43.002 of this code and Chapter 251, Agriculture Code, a municipality may not adopt or enforce regulations that:

(1) relate [~~relating~~] to:

(A) [~~(1)~~] the transfer, possession, wearing, carrying, ownership, storage, transportation, licensing, or registration of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories;

(B) [~~(2)~~] commerce in firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories; or

(C) [~~(3)~~] the discharge of a firearm or air gun at a sport shooting range; or

(2) require an owner of a firearm to obtain liability insurance coverage for damages resulting from negligent or wilful acts involving the use of the firearm.

SECTION 2. Section 235.023, Local Government Code, is amended to read as follows:

1           Sec. 235.023. PROHIBITED REGULATIONS. This subchapter  
2 does not authorize the commissioners court to:

3           (1) regulate the transfer, ownership, possession,  
4 ~~[or]~~ transportation, licensing, or registration of firearms or air  
5 guns; or

6           (2) [and does not authorize the court to] require an  
7 owner of a firearm to obtain liability insurance coverage for  
8 damages resulting from negligent or wilful acts involving the use  
9 of the firearm ~~[the registration of firearms or air guns].~~

10          SECTION 3. Section 236.002(a), Local Government Code, is  
11 amended to read as follows:

12          (a) Notwithstanding any other law, including Chapter 251,  
13 Agriculture Code, a county may not adopt or enforce regulations  
14 that:

15           (1) relate ~~[relating]~~ to:

16           (A) [(1)] the transfer, possession, wearing,  
17 carrying, ownership, storage, transportation, licensing, or  
18 registration of firearms, air guns, knives, ammunition, or firearm  
19 or air gun supplies or accessories;

20           (B) [(2)] commerce in firearms, air guns,  
21 knives, ammunition, or firearm or air gun supplies or accessories;

22 or

23           (C) [(3)] the discharge of a firearm or air gun  
24 at a sport shooting range; or

25           (2) require an owner of a firearm to obtain liability  
26 insurance coverage for damages resulting from negligent or wilful  
27 acts involving the use of the firearm.

1           SECTION 4. The changes in law made by this Act apply to an  
2 ordinance, order, or regulation that is adopted or enforced before,  
3 on, or after the effective date of this Act.

4           SECTION 5. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2023.