

By: Moody

H.B. No. 877

A BILL TO BE ENTITLED

1 AN ACT
2 relating to prohibiting the transfer of certain firearm magazines
3 to certain recipients; creating a criminal offense.

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

5 SECTION 1. Section 46.06, Penal Code, is amended by
6 amending Subsection (a) and adding Subsection (e) to read as
7 follows:

8 (a) A person commits an offense if the person:

9 (1) sells, rents, leases, loans, or gives a handgun to
10 any person knowing that the person to whom the handgun is to be
11 delivered intends to use it unlawfully or in the commission of an
12 unlawful act;

13 (2) intentionally or knowingly sells, rents, leases,
14 or gives or offers to sell, rent, lease, or give to any child
15 younger than 18 years of age any firearm, club, or
16 location-restricted knife;

17 (3) intentionally, knowingly, or recklessly sells a
18 firearm or ammunition for a firearm to any person who is
19 intoxicated;

20 (4) knowingly sells a firearm or ammunition for a
21 firearm to any person who has been convicted of a felony before the
22 fifth anniversary of the later of the following dates:

23 (A) the person's release from confinement
24 following conviction of the felony; or

1 (B) the person's release from supervision under
2 community supervision, parole, or mandatory supervision following
3 conviction of the felony;

4 (5) sells, rents, leases, loans, or gives a handgun to
5 any person knowing that an active protective order is directed to
6 the person to whom the handgun is to be delivered;

7 (6) knowingly purchases, rents, leases, or receives as
8 a loan or gift from another a handgun while an active protective
9 order is directed to the actor; ~~or~~

10 (7) while prohibited from possessing a firearm under
11 state or federal law, knowingly makes a material false statement on
12 a form that is:

13 (A) required by state or federal law for the
14 purchase, sale, or other transfer of a firearm; and

15 (B) submitted to a firearms dealer licensed under
16 18 U.S.C. Section 923; or

17 (8) knowingly purchases a magazine or knowingly
18 receives a magazine as a loan or gift from another while the actor
19 is prohibited from possessing under state or federal law the type of
20 firearm for which the magazine is designed or made.

21 (e) Any information collected by a seller incidental to a
22 sale described by Subsection (a)(8) may not be transmitted, used,
23 or preserved for the purpose of a registry or other database of
24 information relating to firearm owners, firearms, or magazines.
25 This subsection does not apply to the transmission, use, or
26 preservation of report information for inclusion in the following
27 databases:

1 (1) the National Instant Criminal Background Check
2 System; and

3 (2) a database maintained by the Texas Crime
4 Information Center or the National Crime Information Center.

5 SECTION 2. Section 46.06(b), Penal Code, is amended by
6 adding Subdivision (3) to read as follows:

7 (3) "Magazine" means a detachable ammunition feeding
8 device.

9 SECTION 3. The change in law made by this Act applies only
10 to an offense committed on or after the effective date of this Act.
11 An offense committed before the effective date of this Act is
12 governed by the law in effect on the date the offense was committed,
13 and the former law is continued in effect for that purpose. For
14 purposes of this section, an offense was committed before the
15 effective date of this Act if any element of the offense occurred
16 before that date.

17 SECTION 4. This Act takes effect September 1, 2025.