

By: Moody

H.B. No. 883

A BILL TO BE ENTITLED

AN ACT

relating to requiring a licensed firearms dealer to report certain sales or transfers of multiple firearms or firearm magazines to law enforcement; creating a criminal offense.

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

SECTION 1. Title 6, Business & Commerce Code, is amended by adding Chapter 205 to read as follows:

CHAPTER 205. REPORTS OF CERTAIN MULTIPLE TRANSFERS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 205.001. DEFINITIONS. In this chapter:

(1) "Department" means the Department of Public Safety of the State of Texas.

(2) "Firearm" has the meaning assigned by Section 46.01, Penal Code.

(3) "Licensed firearms dealer" means a person who is licensed as a firearms dealer under 18 U.S.C. Section 923.

SUBCHAPTER B. REQUIRED REPORTING OF CERTAIN MULTIPLE TRANSFERS

Sec. 205.051. REPORT BY LICENSED FIREARMS DEALER TO DEPARTMENT. (a) This section applies only to a sale or transfer that:

(1) is made to the same transferee, other than a licensed firearms dealer, on a single occasion or on more than one occasion during a period of five consecutive business days; and

(2) consists of:

1 (A) two or more firearms; or

2 (B) four or more detachable firearm magazines,
3 other than detachable firearm magazines that are originally
4 packaged with a firearm by the manufacturer and sold or otherwise
5 transferred in the original packaging.

6 (b) A licensed firearms dealer shall report to the
7 department, in the form and manner prescribed by the department
8 under Section 205.101, the multiple sales or transfers described by
9 Subsection (a).

10 (c) Before completing a sale or transfer of any firearm or
11 any detachable firearm magazine described by Subsection (a)(2)(B),
12 the licensed firearms dealer making the sale or transfer shall:

13 (1) review the items in the current sale or transfer
14 and any recent previous sales and transfers by the dealer to that
15 transferee to determine whether the reporting duties of this
16 subchapter apply to the dealer as a result of that sale or transfer;
17 and

18 (2) submit a report, if required, under Subsection
19 (b).

20 (d) Information in a report submitted by a licensed firearms
21 dealer to the department under this section:

22 (1) is confidential and not subject to disclosure
23 under Chapter 552, Government Code; and

24 (2) may not be transmitted, used, or preserved for the
25 purpose of a registry or other database of information relating to
26 firearm owners, firearms, or firearm magazines.

27 (e) Subsection (d)(2) does not apply to the transmission,

1 use, or preservation of report information for inclusion in the
2 following databases:

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

5 (2) a database maintained by the Texas Crime
6 Information Center or the National Crime Information Center.

7 Sec. 205.052. REPORT BY DEPARTMENT TO SHERIFF. (a) Not
8 later than 24 hours after receiving a report from a licensed
9 firearms dealer under Section 205.051(b), the department shall
10 transmit the report to:

11 (1) the sheriff of each county in which the applicable
12 sales or transfers occurred; and

13 (2) the sheriff of the county in which the transferee
14 resides.

15 (b) Information in a report submitted by the department to a
16 county sheriff under Subsection (a):

17 (1) is confidential and not subject to disclosure
18 under Chapter 552, Government Code; and

19 (2) may not be transmitted, used, or preserved for the
20 purpose of a registry or other database of information relating to
21 firearm owners, firearms, or firearm magazines.

22 (c) Subsection (b)(2) does not apply to the transmission,
23 use, or preservation of report information for inclusion in the
24 following databases:

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

27 (2) a database maintained by the Texas Crime

1 Information Center or the National Crime Information Center.

2 Sec. 205.053. OFFENSE. (a) A licensed firearms dealer who,
3 with criminal negligence, violates Section 205.051 commits an
4 offense.

5 (b) An offense under this section is a Class B misdemeanor.

6 SUBCHAPTER C. FORMS

7 Sec. 205.101. FORM FOR SUBMISSION OF FIREARMS DEALER
8 REPORT. (a) For purposes of the report required by Section
9 205.051(b), the department shall require licensed firearms dealers
10 to use a form prescribed by the department.

11 (b) The form prescribed under Subsection (a) must:

12 (1) include:

13 (A) the dates and locations of the applicable
14 sales or transfers;

15 (B) the type and number of firearms or detachable
16 firearm magazines sold or transferred;

17 (C) the identity and location of the licensed
18 firearms dealer, including the locations where each applicable sale
19 or transfer occurred; and

20 (D) the identity of the transferee; and

21 (2) require the licensed firearms dealer to submit a
22 copy of the identification provided by the transferee for purposes
23 of the sale or transfer.

24 (c) The department shall post on the department's publicly
25 accessible Internet website:

26 (1) the form required by this section;

27 (2) an e-mail address or electronic portal that may be

1 used to submit the form and related documentation; and
2 (3) instructions for submitting the form and
3 documentation.

4 SECTION 2. Not later than September 1, 2025, the Department
5 of Public Safety shall develop and make available the form for
6 reporting multiple firearm or firearm magazine sales or transfers,
7 as required by Section 205.101, Business & Commerce Code, as added
8 by this Act.

9 SECTION 3. The change in law made by this Act applies only
10 to the sale or transfer of a firearm or firearm magazine that occurs
11 on or after the effective date of this Act. A sale or transfer of a
12 firearm or firearm magazine that occurs before the effective date
13 of this Act is governed by the law in effect immediately before the
14 effective date of this Act, and that law is continued in effect for
15 that purpose.

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