

By: Moody

H.B. No. 1556

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the transfer of certain semiautomatic rifles to certain recipients; creating a criminal offense; increasing a criminal penalty.

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

SECTION 1. Section 46.06, Penal Code, is amended by amending Subsections (a), (c), and (d) and adding Subsection (c-1) to read as follows:

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

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

(2) intentionally or knowingly sells, rents, leases, or gives or offers to sell, rent, lease, or give:

(A) to a ~~any~~ child younger than 18 years of age a ~~any firearm,~~ club, ~~or~~ location-restricted knife, or firearm other than a semiautomatic rifle described by Paragraph (B); or

(B) to a person younger than 21 years of age a semiautomatic rifle that is capable of accepting a detachable magazine and that has a caliber greater than .22;

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

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

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

6 (B) the person's release from supervision under
7 community supervision, parole, or mandatory supervision following
8 conviction of the felony;

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

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

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

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

20 (B) submitted to a firearms dealer licensed under
21 18 U.S.C. Section 923.

22 (c) It is an affirmative defense to prosecution under
23 Subsection (a)(2)(A) [~~(a)(2)~~] that the transfer was to a minor
24 whose parent or the person having legal custody of the minor had
25 given written permission for the sale or, if the transfer was other
26 than a sale, the parent or person having legal custody had given
27 effective consent.

1 (c-1) It is an exception to the application of Subsection
2 (a)(2)(B) that:

3 (1) the semiautomatic rifle is transferred to a
4 recipient who:

5 (A) is a peace officer; or

6 (B) is currently serving in or has been honorably
7 discharged from the United States armed forces; or

8 (2) the transfer of the semiautomatic rifle is a
9 temporary loan to a person who is to carry or use the semiautomatic
10 rifle only:

11 (A) while in the presence of the transferor;

12 (B) while on property owned or leased by the
13 transferor;

14 (C) on the premises of a sport shooting range, as
15 defined by Section 250.001, Local Government Code, and solely for
16 the purpose of shooting targets at the range;

17 (D) for the purpose of lawful hunting or
18 sporting, or for lawful recreational activity; or

19 (E) at a lawful competition involving the use of
20 a firearm.

21 (d) An offense under this section is a Class A misdemeanor,
22 except that:

23 (1) an offense under Subsection (a)(2)(A) [~~(a)(2)~~] is
24 a state jail felony if the weapon that is the subject of the offense
25 is a handgun; and

26 (2) an offense under Subsection (a)(2)(B) or (a)(7) is
27 a state jail felony.

1 SECTION 2. The change in law made by this Act applies only
2 to an offense committed on or after the effective date of this Act.
3 An offense committed before the effective date of this Act is
4 governed by the law in effect on the date the offense was committed,
5 and the former law is continued in effect for that purpose. For
6 purposes of this section, an offense was committed before the
7 effective date of this Act if any element of the offense occurred
8 before that date.

9 SECTION 3. This Act takes effect September 1, 2025.