

Amend HB 2187 (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, lines 28 and 29), strike "Subdivision (6-a)" and substitute "Subdivisions (6-a), (6-b), and (6-c)".

(2) In SECTION 1 of the bill, in amended Section 1956.001, Occupations Code (page 1, between lines 51 and 52), insert the following:

(6-a) "Explosive component" means any component of an explosive weapon containing or consisting of regulated material, including exploded or disassembled ammunition, munitions, shell casings, spin or fin stabilized projectiles, and shrapnel. The term does not include pellet ammunition, shotgun ammunition, or ammunition of .50 caliber or less that does not contain explosive powder.

(6-b) "Explosive weapon" means any explosive or incendiary device that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, including an explosive or incendiary bomb, grenade, rocket, or mine, or a device designed, made, or adapted for delivering or shooting an explosive or incendiary device or starting a fire in a time-delayed manner. The term includes exploded or unexploded ammunition, munition, blasting caps, anti-tank rounds, ordnances, or projectiles. The term does not include pellet ammunition, shotgun ammunition, or ammunition of .50 caliber or less that does not contain explosive powder.

(3) In SECTION 1 of the bill, in amended Section 1956.001, Occupations Code (page 1, line 52), strike "(6-a)" and substitute "(6-c)".

(4) In the recital to SECTION 6 of the bill (page 3, line 57), strike "Subsection (d-1)" and substitute "Subsections (d-1) and (f)".

(5) In SECTION 6 of the bill, in amended Section 1956.036, Occupations Code (page 4, between lines 2 and 3), insert the following:

(f) A metal recycling entity shall report to the department

by telephone, by e-mail, or through the department's Internet website each sale or attempted sale to the entity of an explosive weapon or explosive component as soon as possible after the sale or attempted sale, but not later than the close of business on the entity's first working day after the date of the sale or attempted sale.

(6) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 1956.015(a), Occupations Code, is amended to read as follows:

(a) The department shall establish a statewide electronic reporting system to track the sales of regulated metal reported to the department under Section 1956.036. The department shall use the system to track the sale or attempted sale of an explosive weapon or an explosive component reported to the department under Section 1956.036(f).

SECTION _____. Section 1956.040, Occupations Code, is amended by adding Subsections (c-1), (c-2), (c-3), (c-4), (c-5), and (d-1) to read as follows:

(c-1) A person commits an offense if the person knowingly sells to a metal recycling entity:

(1) an explosive component; or

(2) an explosive weapon.

(c-2) A metal recycling entity commits an offense if the entity knowingly buys:

(1) an explosive component; or

(2) an explosive weapon.

(c-3) Except as provided by Subsection (c-5), an offense under Subsection (c-1)(1) or (c-2)(1) is a Class A misdemeanor. Except as provided by Subsection (c-5), an offense under Subsection (c-1)(2) or (c-2)(2) is a felony of the third degree.

(c-4) A metal recycling entity commits an offense if the entity knowingly stores or allows to be stored on the entity's premises an explosive component or explosive weapon. Except as provided by Subsection (c-5), an offense under this subsection is a Class A misdemeanor.

(c-5) An offense under Subsection (c-1), (c-2), or (c-4) is

a felony of the second degree if it is shown at the trial of the offense that a person suffered death or serious bodily injury, as defined by Section 1.07, Penal Code, as a result of the detonation of an explosive component or explosive weapon.

(d-1) On conviction of an offense under Subsection (c-1), (c-2), or (c-4), the court may order the defendant to make restitution to:

(1) the state or a political subdivision of the state for the costs incurred by the state or subdivision for responding to an offense and any removal, cleaning, sanitizing, demolition, reconstruction, or other treatment required as a result of the offense; and

(2) the owner of any property damaged as a result of the offense.