

BILL ANALYSIS

Senate Research Center
84R29028 TSR-F

C.S.H.B. 2135
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Criminal Justice
5/20/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, individuals who honorably retired as commissioned peace officers with a state agency or county may purchase their service weapon, provided that it is not a prohibited weapon under Section 46.05 (Prohibited Weapons), Penal Code. In addition, current law allows family members to purchase such a weapon if a commissioned peace officer with a state agency dies while commissioned. Unfortunately, these provisions exclude whole classes of peace officers, and therefore some families who want to honor their family member by purchasing his or her service weapon are unable to do so.

C.S.H.B. 2135 addresses this problem by extending the provisions in current law that currently apply to state agency peace officers to peace officers who were commissioned by a state agency, county, or municipality.

C.S.H.B. 2135 amends current law relating to the purchasing of a firearm of an honorably retired or deceased peace officer.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Subchapter D, Chapter 614, Government Code, to read as follows:

SUBCHAPTER D. PURCHASE OF FIREARM OF HONORABLY RETIRED OR DECEASED PEACE OFFICER

SECTION 2. Amends Subchapter D, Chapter 614, Government Code, by adding Section 614.0505 to redefine "governmental entity" to mean a state agency, a county, a municipality, or a joint board for which the constituent agencies are populous home-rule municipalities.

SECTION 3. Amends Section 614.051, Government Code, as follows:

Sec. 614.051. PURCHASE OF FIREARM BY HONORABLY RETIRED PEACE OFFICER. (a) Changes reference to "state agency" to "governmental entity."

(1)-(4) Makes conforming changes to these subdivisions.

(b) Makes a conforming change to this subsection.

SECTION 4. Amends Section 614.052(a), Government Code, to make conforming changes.

SECTION 5. Amends Section 614.053, Government Code, as follows:

Sec. 614.053. PURCHASE PRICE OF FIREARM. Makes a conforming change to this section.

SECTION 6. Amends the heading to Section 614.054, Government Code, to read as follows:

Sec. 614.054. WHEN FIREARM MAY BE PURCHASED; DELAY OF SALE BY GOVERNMENTAL ENTITY.

SECTION 7. Amends Section 614.054(b), Government Code, to make conforming changes.

SECTION 8. Repealer: Section 170.002 (Purchase of Firearm by Honorably Retired Law Enforcement Officer), Local Government Code.

SECTION 9. Effective date: September 1, 2015.