

AN ACT

relating to the purchasing of a firearm of an honorably retired or deceased peace officer.

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

SECTION 1. The heading to Subchapter D, Chapter 614, Government Code, is amended to read as follows:

SUBCHAPTER D. PURCHASE OF [~~AGENCY-ISSUED~~] FIREARM OF HONORABLY RETIRED OR DECEASED PEACE OFFICER

SECTION 2. Subchapter D, Chapter 614, Government Code, is amended by adding Section 614.0505 to read as follows:

Sec. 614.0505. DEFINITION. In this subchapter, "governmental entity" means a state agency, a county, a municipality, or a joint board for which the constituent agencies are populous home-rule municipalities.

SECTION 3. Section 614.051, Government Code, is amended to read as follows:

Sec. 614.051. PURCHASE OF FIREARM BY HONORABLY RETIRED PEACE OFFICER. (a) An individual may purchase a firearm from a governmental entity [~~state agency~~] if:

(1) the individual was a peace officer commissioned by the entity [~~agency~~];

(2) the individual was honorably retired from the individual's commission by the entity [~~state~~];

(3) the firearm had been previously issued to the

1 individual by the entity [~~agency~~]; and

2 (4) the firearm is not a prohibited weapon under
3 Section 46.05, Penal Code.

4 (b) An individual may purchase only one firearm from a
5 governmental entity [~~state agency~~] under this section.

6 SECTION 4. Section 614.052(a), Government Code, is amended
7 to read as follows:

8 (a) An individual listed under Subsection (b) may purchase a
9 firearm from a governmental entity [~~state agency~~] if:

10 (1) the firearm had been previously issued by the
11 entity [~~agency~~] to a peace officer commissioned by the entity
12 [~~agency~~] who died while commissioned, without regard to whether the
13 officer died while discharging the officer's official duties; and

14 (2) the firearm is not a prohibited weapon under
15 Section 46.05, Penal Code.

16 SECTION 5. Section 614.053, Government Code, is amended to
17 read as follows:

18 Sec. 614.053. PURCHASE PRICE OF FIREARM. A governmental
19 entity [~~state agency~~] shall establish the amount, which may not
20 exceed fair market value, for which a firearm may be purchased under
21 this subchapter.

22 SECTION 6. The heading to Section 614.054, Government Code,
23 is amended to read as follows:

24 Sec. 614.054. WHEN FIREARM MAY BE PURCHASED [~~FROM STATE~~
25 ~~AGENCY~~]; DELAY OF SALE BY GOVERNMENTAL ENTITY [~~AGENCY~~].

26 SECTION 7. Section 614.054(b), Government Code, is amended
27 to read as follows:

1 (b) A governmental entity [~~state agency~~] that cannot
2 immediately replace the firearm may delay the sale of the firearm
3 until the entity [~~agency~~] can replace the firearm.

4 SECTION 8. Section [170.002](#), Local Government Code, is
5 repealed.

6 SECTION 9. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 2135 was passed by the House on April 16, 2015, by the following vote: Yeas 146, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2135 on May 23, 2015, by the following vote: Yeas 134, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2135 was passed by the Senate, with amendments, on May 22, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor