

House Bill 2135
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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, or a municipality.

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 individual by the entity ~~[agency]~~; and
 - (4) the firearm is not a prohibited weapon under Section 46.05, Penal Code.
- (b) An individual may purchase only one firearm from a governmental entity ~~[state agency]~~ under this section.

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

SENATE VERSION (CS)

SECTION 1. Same as House version.

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. Same as House version.

SECTION 4. Same as House version.

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

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

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

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

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

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

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

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

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

SECTION 8. Section 170.002, Local Government Code, is repealed.

SENATE VERSION (CS)

SECTION 5. Same as House version.

SECTION 6. Same as House version.

SECTION 7. Same as House version.

SECTION 8. Same as House version.

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

SENATE VERSION (CS)

SECTION 9. Same as House version.

CONFERENCE