

By: Alvarado

H.B. No. 913

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the prosecution of the criminal offense of the
3 possession, manufacture, transport, repair, or sale of certain
4 prohibited explosive weapons.

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

6 SECTION 1. Sections 46.05(a) and (e), Penal Code, are
7 amended to read as follows:

8 (a) A person commits an offense if the person intentionally
9 or knowingly possesses, manufactures, transports, repairs, or
10 sells:

11 (1) any of the following items, unless the item is
12 registered in the National Firearms Registration and Transfer
13 Record maintained by the Bureau of Alcohol, Tobacco, Firearms and
14 Explosives or classified as a curio or relic by the United States
15 Department of Justice:

- 16 (A) ~~[an explosive weapon;~~
17 ~~[(B)]~~ a machine gun;
18 (B) ~~[(C)]~~ a short-barrel firearm; or
19 (C) ~~[(D)]~~ a firearm silencer;
20 (2) knuckles;
21 (3) armor-piercing ammunition;
22 (4) a chemical dispensing device;
23 (5) a zip gun; ~~[or]~~
24 (6) a tire deflation device; or

1 (7) an explosive weapon.

2 (e) An offense under Subsection (a)(1), (3), (4), ~~(5)~~ (5),
3 or (7) is a felony of the third degree. An offense under Subsection
4 (a)(6) is a state jail felony. An offense under Subsection (a)(2)
5 is a Class A misdemeanor.

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

14 SECTION 3. This Act takes effect September 1, 2017.