

By: Springer, Dale, Canales, Moody,  
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H.B. No. 1819

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the criminal consequences of engaging in certain  
3 conduct with respect to a firearm silencer.

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

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

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

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

15 (A) an explosive weapon;

16 (B) a machine gun; or

17 (C) a short-barrel firearm; [~~or~~

18 [~~(D) a firearm silencer,~~]

19 (2) knuckles;

20 (3) armor-piercing ammunition;

21 (4) a chemical dispensing device;

22 (5) a zip gun; [~~or~~]

23 (6) a tire deflation device; or

24 (7) a firearm silencer, unless the firearm silencer is

1 classified as a curio or relic by the United States Department of  
2 Justice or the actor otherwise possesses, manufactures,  
3 transports, repairs, or sells the firearm silencer in compliance  
4 with federal law.

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

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

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