

By: Springer, Dale, Canales, Moody,
Capriglione, et al.

H.B. No. 1819

Substitute the following for H.B. No. 1819:

By: Moody

C.S.H.B. No. 1819

A BILL TO BE ENTITLED

AN ACT

relating to the criminal consequences of engaging in certain
conduct with respect to a firearm silencer.

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

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

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

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

(A) an explosive weapon;

(B) a machine gun; or

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

~~(D) a firearm silencer;]~~

(2) knuckles;

(3) armor-piercing ammunition;

(4) a chemical dispensing device;

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

(6) a tire deflation device; or

(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.