| **House Bill 1819**Senate AmendmentsSection-by-Section Analysis |
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| HOUSE VERSION | SENATE VERSION (IE) | CONFERENCE |
| 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 classified as a curio or relic by the United States Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.(e) An offense under Subsection (a)(1), (3), (4), [~~or~~] (5), or (7) is a felony of the third degree. An offense under Subsection (a)(6) is a state jail felony. An offense under Subsection (a)(2) is a Class A misdemeanor. | 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 otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the United States Department of Justice: [FA1](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 classified as a curio or relic by the United States Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.(e) An offense under Subsection (a)(1), (3), (4), [~~or~~] (5), or (7) is a felony of the third degree. An offense under Subsection (a)(6) is a state jail felony. An offense under Subsection (a)(2) is a Class A misdemeanor. |  |
| SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date. | SECTION 2. Same as House version. |  |
| SECTION 3. This Act takes effect September 1, 2017. | SECTION 3. Same as House version. |  |