86R8481 AJZ-D

By:  Meza H.B. No. 1375

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain firearm transfers; creating a criminal offense.

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

SECTION 1.  Title 6, Business & Commerce Code, is amended by adding Chapter 205 to read as follows:

CHAPTER 205. REGULATION OF FIREARM TRANSFERS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 205.001.  DEFINITIONS. In this chapter:

(1)  "Department" means the Department of Public Safety.

(2)  "Licensed firearms dealer" means a person who is licensed as a firearms dealer under 18 U.S.C. Section 923.

SUBCHAPTER B. REGULATION OF PRIVATE FIREARM TRANSFERS

Sec. 205.051.  DOCUMENTATION OF PRIVATE FIREARM TRANSFERS. (a) The department by rule shall adopt a form to document the sale or other transfer of a firearm by a person who is not a licensed firearms dealer.

(b)  The form adopted under Subsection (a) must include:

(1)  the name, driver's license or personal identification certificate number, if any, and contact information of the person selling or transferring the firearm;

(2)  the name, driver's license or personal identification certificate number, if any, and contact information of the person to whom the firearm is being sold or transferred;

(3)  the type of firearm and serial number of the firearm being sold or transferred; and

(4)  any other information the department considers necessary to document the sale or transfer.

Sec. 205.052.  REQUIREMENTS FOR PRIVATE FIREARM TRANSFER. (a) A person may not sell or otherwise transfer a firearm to another person unless:

(1)  the person is a licensed firearms dealer; or

(2)  the person is not a licensed firearms dealer and:

(A)  documents the sale or transfer on the form adopted by the department under Section 205.051; and

(B)  submits the form described by Paragraph (A) to the department not later than the 30th day after the date of the sale or transfer.

(b)  A person who violates this section commits an offense. An offense under this section is a Class C misdemeanor.

SECTION 2.  This Act takes effect September 1, 2019.