

By: Anchia

H.B. No. 1172

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of certain conduct involving prohibited weapons; creating a criminal offense.

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

SECTION 1. Section 46.01, Penal Code, is amended by adding Subdivision (20) to read as follows:

(20) "Three-dimensional printer" means a device capable of producing a three-dimensional object from a digital model.

SECTION 2. Sections 46.05(a) and (e), Penal Code, as amended by Chapters 155 (H.B. 1819) and 814 (H.B. 913), Acts of the 85th Legislature, Regular Session, 2017, are reenacted and 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:

(A) an explosive weapon;

(B) a machine gun; or

- 1 (C) a short-barrel firearm;
- 2 (2) knuckles;
- 3 (3) armor-piercing ammunition;
- 4 (4) a chemical dispensing device;
- 5 (5) a zip gun;
- 6 (6) a tire deflation device; ~~or~~
- 7 (7) a firearm silencer, unless the firearm silencer is
- 8 classified as a curio or relic by the United States Department of
- 9 Justice or the actor otherwise possesses, manufactures,
- 10 transports, repairs, or sells the firearm silencer in compliance
- 11 with federal law;
- 12 (8) ~~(7)~~ an improvised explosive device; or
- 13 (9) a firearm containing a component part manufactured
- 14 using a three-dimensional printer.

15 (e) An offense under Subsection (a)(1), (3), (4), (5), ~~or~~

16 (7), (8), or (9) or (a-1) is a felony of the third degree. An

17 offense under Subsection (a)(6) is a state jail felony. An offense

18 under Subsection (a)(2) is a Class A misdemeanor.

19 SECTION 3. Section 46.05, Penal Code, is amended by adding

20 Subsection (a-1) to read as follows:

21 (a-1) A person commits an offense if the person

22 intentionally or knowingly:

23 (1) manufactures a component part for a firearm using

24 a three-dimensional printer; or

25 (2) possesses, transports, repairs, or sells a

26 component part described by Subdivision (1).

27 SECTION 4. To the extent of any conflict, this Act controls

1 over another Act of the 86th Legislature, Regular Session, 2019,  
2 relating to nonsubstantive additions to and corrections in enacted  
3 codes.

4         SECTION 5. The change in law made by this Act applies only  
5 to an offense committed on or after the effective date of this Act.  
6 An offense committed before the effective date of this Act is  
7 governed by the law in effect on the date the offense was committed,  
8 and the former law is continued in effect for that purpose. For  
9 purposes of this section, an offense was committed before the  
10 effective date of this Act if any element of the offense occurred  
11 before that date.

12         SECTION 6. This Act takes effect September 1, 2019.