

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

1 of the person to whom the firearm is being sold or transferred;  
2 (3) the type of firearm and serial number of the  
3 firearm being sold or transferred; and  
4 (4) any other information the department considers  
5 necessary to document the sale or transfer.

6 Sec. 205.052. REQUIREMENTS FOR PRIVATE FIREARM TRANSFER.

7 (a) A person may not sell or otherwise transfer a firearm to another  
8 person unless:

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

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

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

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

16 (b) A person who violates this section commits an offense.

17 An offense under this section is a Class C misdemeanor.

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