

By: Talarico

H.B. No. 3507

A BILL TO BE ENTITLED

AN ACT

relating to requiring a national instant criminal background check in connection with firearm loans at a sport shooting range; creating a criminal offense.

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

SECTION 1. Chapter 411, Government Code, is amended by adding Subchapter H-1 to read as follows:

SUBCHAPTER H-1. NATIONAL INSTANT CRIMINAL BACKGROUND CHECK FOR FIREARM LOAN

Sec. 411.221. DEFINITIONS. In this subchapter:

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

(2) "Peace officer" has the meaning assigned by Article 2.12, Code of Criminal Procedure.

Sec. 411.222. REQUIREMENTS FOR FIREARM LOAN AT SPORT SHOOTING RANGE. A person may not loan a firearm to another person for the purpose of shooting at a sport shooting range, as defined by Section 250.001, Local Government Code, unless:

(1) the person is a licensed firearms dealer who conducts a national instant criminal background check in the manner required for the sale of a firearm by 18 U.S.C. Section 922 and verifies that the person to whom the firearm is being loaned may lawfully possess a firearm; or

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

1 (A) the person loans the firearm to a licensed
2 firearms dealer, a peace officer, or a person licensed to carry a
3 handgun under Subchapter H; or

4 (B) before the firearm is loaned to the person,
5 the person loaning the firearm delivers the firearm to a licensed
6 firearms dealer who conducts a national instant criminal background
7 check in the manner required for the sale of a firearm by 18 U.S.C.
8 Section 922 and verifies that the person to whom the firearm is
9 being loaned may lawfully possess a firearm.

10 Sec. 411.223. OFFENSE. A person who violates this
11 subchapter commits an offense. An offense under this section is a
12 Class C misdemeanor punishable by a fine not to exceed \$1,500.

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