

BILL ANALYSIS

H.B. 1500
By: Hefner
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

During the course of the COVID-19 pandemic, certain political subdivisions refused to designate licensed firearms dealers as "essential businesses," forcing these entities to close their doors. The U.S. Department of Homeland Security's guidelines deemed workers supporting the operation of firearm or ammunition product manufacturers, retailers, importers, distributors and shooting ranges as essential workers. There have been calls to prohibit the suspension of or limitations on the sale, transportation, or use of firearms or ammunition during an emergency or disaster. H.B. 1500 seeks to address this issue by protecting these actions under the Texas Disaster Act of 1975.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1500 amends the Government Code to establish that the Texas Disaster Act of 1975 does not authorize any person to prohibit or restrict the business or operations of a sport shooting range or a firearms or ammunition manufacturer, distributor, wholesaler, supplier, or retailer in connection with a disaster. The bill removes the governor's authority under that act to suspend or limit the sale, dispensing, or transportation of firearms and explosives or combustibles that are components of firearm ammunition during a declared disaster.

H.B. 1500 removes the governor's authority to provide for control of the sale, transportation, and use of weapons and ammunition or the storage, use, and transportation of explosives or flammable materials that are components of firearm ammunition in a directive issued during a proclaimed state of emergency. The bill prohibits such a directive from prohibiting or restricting the business or operations of a sport shooting range or a firearms or ammunition manufacturer, distributor, wholesaler, supplier, or retailer in connection with the state of emergency.

H.B. 1500 amends the Local Government Code to remove a municipality's authority to regulate the use of firearms, air guns, or knives in the case of an insurrection, riot, or natural disaster.

H.B. 1500 repeals Section 229.001(d), Local Government Code.

EFFECTIVE DATE

September 1, 2021.