87R5849 NC-D

By:  Rodriguez H.B. No. 2143

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of modern sporting rifles by certain municipalities.

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

SECTION 1.  Section 229.001(a), Local Government Code, is amended to read as follows:

(a)  Notwithstanding any other law, including Section 43.002 of this code and Chapter 251, Agriculture Code, and except as provided by Section 229.005, a municipality may not adopt regulations relating to:

(1)  the transfer, possession, wearing, carrying, ownership, storage, transportation, licensing, or registration of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories;

(2)  commerce in firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories; or

(3)  the discharge of a firearm or air gun at a sport shooting range.

SECTION 2.  Subchapter A, Chapter 229, Local Government Code, is amended by adding Section 229.005 to read as follows:

Sec. 229.005.  MODERN SPORTING RIFLES IN CERTAIN MUNICIPALITIES. (a) In this section, "modern sporting rifle" means:

(1)  a semiautomatic centerfire rifle that has the capacity to accept a detachable magazine that has:

(A)  a pistol grip that protrudes conspicuously beneath the action of the firearm;

(B)  a folding or telescoping stock;

(C)  a thumbhole stock;

(D)  a second handgrip or a protruding grip that can be held by the non-trigger hand;

(E)  a flash suppressor, muzzle break, or muzzle compensator; or

(F)  a grenade launcher or flare launcher;

(2)  a semiautomatic centerfire rifle that has a fixed magazine that holds more than 10 rounds of ammunition;

(3)  a semiautomatic centerfire rifle that has an overall length of less than 30 inches; or

(4)  a semiautomatic centerfire pistol that has the capacity to accept a detachable magazine and has:

(A)  a second handgrip or a protruding grip that can be held by the non-trigger hand;

(B)  an ammunition magazine that attaches to the pistol outside of the pistol grip; or

(C)  a shroud that is attached to or partially or completely encircles the barrel and that permits the shooter to hold the firearm with the non-trigger hand without being burned.

(b)  For purposes of this section, "modern sporting rifle" does not include any rifle that:

(1)  is manually operated by bolt, pump, lever, or slide action;

(2)  has been rendered permanently inoperable; or

(3)  is an antique firearm or a curio or relic.

(c)  This section applies only to a municipality with a population of 600,000 or more.

(d)  Notwithstanding any other law, a municipality may regulate the carrying of a partially or wholly visible modern sporting rifle on or about a person in a public place.

SECTION 3.  This Act takes effect September 1, 2021.