

By: Meza

H.B. No. 227

A BILL TO BE ENTITLED

AN ACT

1
2 relating to notifying state law enforcement of an attempted
3 acquisition of a firearm by a person prohibited from possessing a
4 firearm.

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

6 SECTION 1. Section 46.06, Penal Code, is amended by adding
7 Subsection (e) to read as follows:

8 (e) A licensed firearms dealer under 18 U.S.C. Section 923
9 who declines to transfer a firearm to a prospective transferee
10 because the National Instant Criminal Background Check System
11 indicates that the prospective transferee is prohibited from
12 possessing a firearm shall notify the Department of Public Safety.

13 SECTION 2. Subchapter D, Chapter 411, Government Code, is
14 amended by adding Section 411.0525 to read as follows:

15 Sec. 411.0525. INVESTIGATION OF LICENSED FIREARMS DEALER
16 REPORT. (a) On receipt of a report under Section 46.06(e), Penal
17 Code, from a licensed firearms dealer under 18 U.S.C. Section 923,
18 the department shall initiate an investigation.

19 (b) If the department's investigation under this section
20 produces evidence that a person may have violated Chapter 46, Penal
21 Code, or other law relating to the possession or transfer of a
22 firearm, the department shall refer the case to the appropriate
23 local authorities for further investigation and possible
24 prosecution.

1 SECTION 3. The change in law made by this Act applies only
2 to an offense committed on or after the effective date of this Act.
3 An offense committed before the effective date of this Act is
4 governed by the law in effect on the date the offense was committed,
5 and the former law is continued in effect for that purpose. For
6 purposes of this section, an offense was committed before the
7 effective date of this Act if any element of the offense occurred
8 before that date.

9 SECTION 4. This Act takes effect September 1, 2021.