

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

1 capacity to accept a detachable magazine that has:

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

4 (B) a folding or telescoping stock;

5 (C) a thumbhole stock;

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

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

10 (F) a grenade launcher or flare launcher;

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

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

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

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

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

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

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

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

1 (2) has been rendered permanently inoperable; or

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

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

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

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