

By: Blanco

S.B. No. 554

A BILL TO BE ENTITLED

AN ACT

relating to the reporting of lost or stolen firearms and to proof of loss for personal property insurance coverage for those firearms; creating a criminal offense.

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

SECTION 1. Subchapter A, Chapter 2002, Insurance Code, is amended by adding Section 2002.007 to read as follows:

Sec. 2002.007. PROOF OF LOSS FOR FIREARM COVERAGE. (a) In this section, "personal property insurance" means insurance against damage to or loss of tangible personal property, including coverage provided in a homeowners insurance policy, residential fire and allied lines insurance policy, or farm and ranch owners insurance policy.

(b) This section applies to each insurer that provides personal property insurance in this state, including a county mutual insurance company, farm mutual insurance company, Lloyd's plan, and reciprocal or interinsurance exchange.

(c) A personal property insurance policy that includes firearm coverage must provide that a report of the loss or theft of a covered firearm submitted to a peace officer or law enforcement agency on or before the 10th day after the date the policyholder became aware the firearm was lost or stolen is sufficient proof of loss for the firearm.

SECTION 2. Chapter 46, Penal Code, is amended by adding

1 Section 46.135 to read as follows:

2 Sec. 46.135. FAILURE TO REPORT LOST OR STOLEN FIREARM. (a)

3 A person commits an offense if the person:

4 (1) owns a firearm that is subsequently lost by or
5 stolen from the person; and

6 (2) fails to report the loss or theft, or cause a
7 report of the loss or theft to be made, to a peace officer or law
8 enforcement agency on or before the 10th day after the date the
9 person became aware the firearm was lost or stolen.

10 (b) An offense under this section is a Class C misdemeanor.

11 (c) If conduct constituting an offense under this section
12 also constitutes an offense under another section of this code, the
13 actor may be prosecuted under either section or under both
14 sections.

15 SECTION 3. Section 2002.007, Insurance Code, as added by
16 this Act, applies only to an insurance policy delivered, issued for
17 delivery, or renewed on or after January 1, 2022.

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