

By: Frazier

H.B. No. 113

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution of the criminal offense of the
3 possession, manufacture, transport, repair, or sale of certain
4 devices intended to modify handguns.

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

6 SECTION 1. Section 46.05(a), Penal Code, is amended to read
7 as follows:

8 (a) A person commits an offense if the person intentionally
9 or knowingly possesses, manufactures, transports, repairs, or
10 sells:

11 (1) any of the following items, unless the item is
12 registered in the National Firearms Registration and Transfer
13 Record maintained by the Bureau of Alcohol, Tobacco, Firearms and
14 Explosives or otherwise not subject to that registration
15 requirement or unless the item is classified as a curio or relic by
16 the United States Department of Justice:

17 (A) an explosive weapon;

18 (B) a machine gun; [~~or~~]

19 (C) a short-barrel firearm; or

20 (D) a device designed and intended to make a
21 handgun capable of automatically shooting more than one shot,
22 without manual reloading, by a single function of the trigger;

23 (2) armor-piercing ammunition;

24 (3) a chemical dispensing device;

- 1 (4) a zip gun;
- 2 (5) a tire deflation device; or
- 3 (6) an improvised explosive device.

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

12 SECTION 3. This Act takes effect on the 91st day after the
13 last day of the legislative session.