

BILL ANALYSIS

H.B. 3266
By: Frazier
Community Safety, Select
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In recent years, a device known as an auto sear, more commonly known as a "Glock switch," has become more commonplace. These devices modify the function of a handgun to create a fully automatic weapon capable of firing at a significantly increased rate with one pull of the trigger. A Glock switch can be manufactured with a 3D printer and represents a serious threat both to law enforcement and to communities all over Texas. Although possessing or manufacturing a Glock switch is currently illegal under federal law, local and state law enforcement do not have the capacity to levy charges against individuals who possess or manufacture these devices. H.B. 3266 seeks to address this issue by making it illegal under state law to possess, manufacture, transport, repair, or sell these devices unless the item is registered in the National Firearms Registration and Transfer Record, classified as a curio or relic, or otherwise not subject to that registration.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3266 amends the Penal Code to expand the conduct that constitutes a third degree felony offense involving the intentional or knowing possession, manufacture, transport, repair, or sale of a prohibited weapon to include intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a device designed and intended to make a handgun capable of automatically shooting more than one shot, without manual reloading, by a single function of the trigger unless the item is registered in the National Firearms Registration and Transfer Record or otherwise not subject to registration or the item is classified as a curio or relic by the U.S. Department of Justice. The bill applies only to an offense committed on or after the bill's effective date and provides for the continuation of the law in effect before the bill's effective date for purposes of an offense, or any element thereof, that occurred before that date.

EFFECTIVE DATE

September 1, 2023.