

By: Moody

H.B. No. 22

A BILL TO BE ENTITLED

AN ACT

relating to requiring the report of certain sales of multiple firearms and multiple firearm magazines; creating a criminal offense.

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

SECTION 1. Title 6, Business & Commerce Code, is amended by adding Chapter 205 to read as follows:

CHAPTER 205. REPORTING OF CERTAIN SALES OF MULTIPLE FIREARMS AND MULTIPLE FIREARM MAGAZINES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 205.001. DEFINITIONS. In this chapter:

(1) "Department" means the Department of Public Safety of the State of Texas.

(2) "Firearm" has the meaning assigned by Section 46.01, Penal Code.

(3) "Multiple firearm sales report" means the form described by Section 205.101, Business & Commerce Code.

(4) "Retailer" has the meaning assigned by Section 151.008, Tax Code.

SUBCHAPTER B. REPORTING REQUIREMENTS

Sec. 205.051. REPORTING OF CERTAIN SALES REQUIRED. (a) A multiple firearm sales report is required when a retailer sells or otherwise transfers to the same buyer or transferee within five consecutive days:

1 (1) more than one firearm; or

2 (2) more than three detachable firearm magazines,
3 other than detachable firearm magazines originally packaged with a
4 firearm by the manufacturer that are sold or otherwise transferred
5 with the firearm.

6 (b) The multiple firearm sales report shall be transmitted
7 to the department before completing a sale or transfer described by
8 Subsection (a).

9 (c) Within 24 hours after receiving a multiple firearm sales
10 report, the department shall transmit it to the sheriff of the
11 county in which the retailer operates and the sheriff of the county
12 in which the buyer or transferee resides.

13 Sec. 205.052. FAILURE TO REPORT; OFFENSE. (a) A person who
14 intentionally, knowingly, recklessly, or with criminal negligence
15 fails to transmit a multiple firearm sales report as required by
16 this subchapter commits an offense.

17 (b) An offense under this section is a class B misdemeanor.

18 SUBCHAPTER C. MULTIPLE FIREARM SALES REPORT FORM

19 Sec. 205.101. FORM. (a) Not later than September 1, 2023,
20 the department shall develop a form for making a multiple firearm
21 sales report.

22 (b) The form shall identify the dates and locations of the
23 sales or transfers, the firearms or detachable magazines sold or
24 transferred, and the identity of the retailer and the buyer or
25 transferee, including a copy of the identification provided by the
26 buyer or transferee.

27 (c) When the form required by this section is developed, the

1 department shall post it on the department's internet website. The
2 post shall include an email address or electronic portal for
3 submitting the form and instructions for doing so.

4 Sec. 205.102. CONFIDENTIALITY. Multiple firearm sales
5 reports are confidential.

6 SECTION 2. This Act takes effect September 1, 2023.