

By: Goodwin

H.B. No. 253

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of making a firearm accessible to a child.

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

SECTION 1. Sections 46.13(a) and (b), Penal Code, are amended to read as follows:

(a) In this section:

(1) "Child" means a person younger than 18 [~~17~~] years of age.

(2) [~~"Readily dischargeable firearm" means a firearm that is loaded with ammunition, whether or not a round is in the chamber.~~]

[~~(3)~~] "Secure" means to take steps that a reasonable person would take to prevent the access to a [~~readily dischargeable~~] firearm by a child, including [~~but not limited to~~] placing a firearm in a locked container or temporarily rendering the firearm inoperable by a trigger lock or other means.

(b) A person commits an offense if a child gains access to a [~~readily dischargeable~~] firearm and the person with criminal negligence:

(1) failed to secure the firearm; or

(2) left the firearm in a place to which the person knew or should have known the child would gain access.

SECTION 2. The change in law made by this Act applies only

1 to an offense committed on or after the effective date of this Act.
2 An offense committed before the effective date of this Act is
3 governed by the law in effect on the date the offense was committed,
4 and the former law is continued in effect for that purpose. For
5 purposes of this section, an offense was committed before the
6 effective date of this Act if any element of the offense occurred
7 before that date.

8 SECTION 3. This Act takes effect September 1, 2023.