

By: Goodwin

H.B. No. 1995

A BILL TO BE ENTITLED

AN ACT

relating to requiring a licensed firearms dealer to report certain sales or transfers of multiple semiautomatic rifles to law enforcement; 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. REPORTS OF CERTAIN MULTIPLE TRANSFERS OF SEMIAUTOMATIC RIFLES

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) "Licensed firearms dealer" means a person who is licensed as a firearms dealer under 18 U.S.C. Section 923.

Sec. 205.002. APPLICABILITY. This chapter applies only to a semiautomatic rifle that:

(1) is capable of accepting a detachable magazine; and

(2) has a caliber greater than .22.

SUBCHAPTER B. REQUIRED REPORTING OF CERTAIN MULTIPLE SALES OR TRANSFERS OF SEMIAUTOMATIC RIFLES

Sec. 205.051. REPORT BY LICENSED FIREARMS DEALER. (a) This section applies only to a sale or transfer of two or more semiautomatic rifles to which this chapter applies made to the same

1 transferee, other than a licensed firearms dealer, on a single
2 occasion or on more than one occasion during a period of five
3 consecutive business days.

4 (b) A licensed firearms dealer shall report to the
5 department, in the form and manner prescribed by the department
6 under Section 205.101, the multiple sales or transfers described by
7 Subsection (a).

8 (c) Before completing a sale or transfer of a semiautomatic
9 rifle to which this chapter applies the licensed firearms dealer
10 making the sale or transfer shall:

11 (1) review the items in the current sale or transfer
12 and any recent previous sales and transfers by the dealer to that
13 transferee to determine whether the reporting duties of this
14 subchapter apply to the dealer as a result of that sale or transfer;
15 and

16 (2) submit a report, if required, under Subsection
17 (b).

18 (d) A report submitted by a licensed firearms dealer to the
19 department under this section is confidential and not subject to
20 disclosure under Chapter 552, Government Code.

21 Sec. 205.052. REPORT TO SHERIFF AND POLICE DEPARTMENT. (a)
22 Not later than 24 hours after receiving a report from a licensed
23 firearms dealer under Section 205.051(b), the department shall
24 transmit the report to:

25 (1) the sheriff of each county in which the applicable
26 sales or transfers occurred;

27 (2) the sheriff of the county in which the transferee

1 resides;

2 (3) if any of the applicable sales or transfers
3 occurred in a municipality, the police department of each
4 municipality in which the applicable sales or transfers occurred;
5 and

6 (4) if the transferee resides in a municipality, the
7 police department of the municipality in which the transferee
8 resides.

9 (b) Information in a report submitted to a county sheriff or
10 a police department under Subsection (a) is confidential and not
11 subject to disclosure under Chapter 552, Government Code.

12 Sec. 205.053. OFFENSE. (a) A licensed firearms dealer who,
13 with criminal negligence, violates Section 205.051 commits an
14 offense.

15 (b) An offense under this section is a Class B misdemeanor.

16 SUBCHAPTER C. FORMS

17 Sec. 205.101. FORM FOR SUBMISSION OF FIREARMS DEALER
18 REPORT. (a) For purposes of the report required by Section
19 205.051(b), the department shall require a licensed firearms dealer
20 to use a form prescribed by the department.

21 (b) The form prescribed under Subsection (a) must:

22 (1) include:

23 (A) the dates and locations of the applicable
24 sales or transfers;

25 (B) the number of semiautomatic rifles sold or
26 transferred;

27 (C) the identity and location of the licensed

1 firearms dealer, including the locations where each applicable
2 transfer occurred; and

3 (D) the identity of the transferee; and

4 (2) require the licensed firearms dealer to submit a
5 copy of the identification provided by the transferee for the
6 purchase.

7 (c) The department shall post on the department's publicly
8 accessible Internet website:

9 (1) the form required by this section; and

10 (2) instructions for submitting the form and related
11 documentation, including an e-mail address or electronic portal
12 that may be used to submit the form and documentation.

13 SECTION 2. Not later than September 1, 2023, the Department
14 of Public Safety shall develop the form for reporting multiple
15 semiautomatic rifle sales, as required by Section 205.101, Business
16 & Commerce Code, as added by this Act.

17 SECTION 3. The change in law made by this Act applies only
18 to the sale or transfer of a semiautomatic rifle that occurs on or
19 after the effective date of this Act. A sale or transfer of a
20 semiautomatic rifle that occurs before the effective date of this
21 Act is governed by the law in effect immediately before the
22 effective date of this Act, and that law is continued in effect for
23 that purpose.

24 SECTION 4. This Act takes effect September 1, 2023.