

By: Troxclair, Guillen, Garcia, Isaac,
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H.B. No. 3539

A BILL TO BE ENTITLED

AN ACT

relating to the establishment and operation of an ammunition facility by the Department of Public Safety.

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

SECTION 1. Chapter 411, Government Code, is amended by adding Subchapter S to read as follows:

SUBCHAPTER S. TEXAS AMMUNITION FACILITY

Sec. 411.551. DEFINITIONS. In this subchapter:

(1) "Ammunition" means a combination of projectiles, cartridges, primers, and propellants designed to be discharged from a firearm.

(2) "Facility" means the Texas ammunition facility established under this subchapter.

(3) "Facility operator" means the person selected under Section 411.552 to operate the facility.

(4) "Law enforcement officer" means a person who is a peace officer under Article 2.12, Code of Criminal Procedure.

(5) "Law enforcement officer trainee" means a person enrolled in the basic peace officer training course required for the issuance of a peace officer license under Chapter 1701, Occupations Code.

(6) "Quality ammunition" means ammunition that meets the minimum safety specifications of the Sporting Arms and Ammunition Manufacturers' Institute for the caliber and type of

cartridge manufactured, as specified.

Sec. 411.552. TEXAS AMMUNITION FACILITY. (a) The department shall contract with a person to establish and operate a facility that acquires, stores, and resells to law enforcement agencies quality ammunition to ensure the availability of ammunition for use by those agencies for training and public safety with a preference for law enforcement officers and law enforcement officer trainees.

(b) The department shall closely supervise the facility to promote and ensure integrity, security, honesty, and fairness in the operation of the facility.

Sec. 411.553. CERTAIN CONTRACT PROVISIONS REQUIRED. A contract under this subchapter for the acquisition, storage, and resale of quality ammunition must include provisions requiring:

(1) the person who establishes and operates the facility to give a preference when acquiring quality ammunition to manufacturers who manufacture ammunition in this state; and

(2) the packaging for the ammunition to:

(A) bear the state seal, state arms, or state flag; and

(B) state "Made in Texas".

Sec. 411.554. FACILITY OPERATOR POWERS AND DUTIES. (a) The facility operator has the powers necessary to carry out the duties imposed on the operator under a contract entered into under this subchapter.

(b) The facility operator shall acquire and store quality ammunition to be resold at a reasonable price only to law

enforcement agencies with a preference for use by law enforcement officers and law enforcement officer trainees.

(c) The facility operator shall acquire and store sufficient quality ammunition to prepare for potential future shortages of ammunition from other sources.

Sec. 411.555. CERTAIN SALES PROHIBITED. The facility may not sell ammunition or any component parts to any person except a law enforcement agency in this state that is accredited by one of the following organizations for adhering to best practices in policing:

(1) the Texas Police Chiefs Association;

(2) the Commission on Accreditation for Law Enforcement Agencies, Inc.; or

(3) a successor organization to an organization described by Subdivision (1) or (2) that offers an accreditation program for best practices in policing.

Sec. 411.556. DEDICATION OF REVENUE. Any proceeds collected by the department under a contract awarded under this subchapter shall be deposited in the general revenue fund to the credit of the law enforcement officer standards and education fund account and may be appropriated only for the purposes described by this subchapter or Section [1701.157](#), Occupations Code.

Sec. 411.557. ANNUAL REPORT. Not later than December 1 of each year, the department shall submit a report to the governor and the legislature on the condition, operation, and projected business activity of the facility.

SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2023.