

By: Eckhardt

S.B. No. 405

A BILL TO BE ENTITLED

AN ACT

relating to the reporting of lost or stolen firearms; creating a criminal offense.

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

SECTION 1. Subchapter D, Chapter 411, Government Code, is amended by adding Section 411.056 to read as follows:

Sec. 411.056. REPORT OF LOST OR STOLEN FIREARM. (a) A peace officer who receives a report from the owner of a firearm or the owner's agent that the firearm was lost or stolen shall report the loss or theft to the department. The report must include:

(1) the name of the owner;
(2) any available information about the firearm; and
(3) the date that the owner became aware the firearm was lost or stolen.

(b) The department shall regularly send all reports received under Subsection (a) to the National Crime Information Center.

SECTION 2. Chapter 46, Penal Code, is amended by adding Section 46.135 to read as follows:

Sec. 46.135. FAILURE TO REPORT LOST OR STOLEN FIREARM. (a) A person commits an offense if the person:

(1) owns a firearm that is subsequently lost by or stolen from the person; and
(2) fails to report the loss or theft, or cause a

1 report of the loss or theft to be made, to a peace officer or law
2 enforcement agency not later than 24 hours after the time the person
3 became aware the firearm was lost or stolen.

4 (b) An offense under this section is a Class C misdemeanor,
5 except that the offense is a Class B misdemeanor if it is shown on
6 the trial of the offense that the defendant has been previously
7 convicted of an offense under this section.

8 (c) If conduct constituting an offense under this section
9 also constitutes an offense under another section of this code, the
10 actor may be prosecuted under either section or under both
11 sections.

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