

By: Hayes

H.B. No. 259

A BILL TO BE ENTITLED

AN ACT

relating to the prohibition of short-barrel firearms.

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

SECTION 1. Sections 46.05(a) and (d), Penal Code, are amended to read as follows:

(a) A person commits an offense if the person intentionally or knowingly possesses, manufactures, transports, repairs, or sells:

(1) any of the following items, unless the item is registered in the National Firearms Registration and Transfer Record maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the United States Department of Justice:

(A) an explosive weapon; or

(B) a machine gun; ~~or~~

~~[(C) a short-barrel firearm,]~~

(2) armor-piercing ammunition;

(3) a chemical dispensing device;

(4) a zip gun;

(5) a tire deflation device; or

(6) an improvised explosive device.

(d) It is an affirmative defense to prosecution under this section that the actor's conduct:

1 (1) was incidental to dealing with a [~~short-barrel~~
2 ~~firearm or~~] tire deflation device solely as an antique or curio;

3 (2) was incidental to dealing with armor-piercing
4 ammunition solely for the purpose of making the ammunition
5 available to an organization, agency, or institution listed in
6 Subsection (b); or

7 (3) was incidental to dealing with a tire deflation
8 device solely for the purpose of making the device available to an
9 organization, agency, or institution listed in Subsection (b).

10 SECTION 2. Section 46.01(10), Penal Code, is repealed.

11 SECTION 3. The change in law made by this Act applies only
12 to an offense committed on or after the effective date of this Act.
13 An offense committed before the effective date of this Act is
14 governed by the law in effect on the date the offense was committed,
15 and the former law is continued in effect for that purpose. For
16 purposes of this section, an offense was committed before the
17 effective date of this Act if any element of the offense occurred
18 before that date.

19 SECTION 4. This Act takes effect September 1, 2025.