

By: Blanco

S.B. No. 2908

A BILL TO BE ENTITLED

AN ACT

relating to the disposition of a firearm surrendered through a firearm buyback program administered by certain local law enforcement agencies.

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

SECTION 1. Subtitle C, Title 11, Local Government Code, is amended by adding Chapter 366 to read as follows:

CHAPTER 366. LOCAL LAW ENFORCEMENT AGENCY FIREARM BUYBACK PROGRAMS

Sec. 366.001. DEFINITIONS. In this chapter:

(1) "Firearm buyback program" means a program under which a local law enforcement agency offers a payment in exchange for the surrender of a firearm to the agency.

(2) "Local law enforcement agency" means a municipal police department or sheriff's department.

Sec. 366.002. DISPOSITION OF SURRENDERED FIREARM. (a) Except as provided by Subsection (b), a local law enforcement agency that receives a firearm surrendered through a firearm buyback program shall ensure that all firearms received through the firearm buyback program are destroyed. For purposes of this section, destruction of a firearm means at a minimum:

(1) to completely melt, shred, or crush the firearm receiver, frame, scope, and all other component parts of the firearm; or

1 (2) to cut each of the following in at least three
2 critical locations:

3 (A) the firearm receiver; and

4 (B) any other component part of the firearm that
5 is similar to or exceeds the size of the receiver.

6 (b) Notwithstanding Subsection (a), a local law enforcement
7 agency may sell to a person a firearm received through a program
8 described by this section only if the agency:

9 (1) requests that a firearms dealer licensed under 18
10 U.S.C. Section 923 conduct a national instant criminal background
11 check of the person in the manner required by 18 U.S.C. Section 922;
12 and

13 (2) uses the results of the background check to verify
14 that the person to whom the firearm is being sold may lawfully
15 possess a firearm.

16 (c) On a finding by the Texas Commission on Law Enforcement
17 that the chief administrator of a local law enforcement agency
18 intentionally failed to destroy a firearm in accordance with this
19 section, the commission shall begin disciplinary procedures
20 against the chief administrator.

21 SECTION 2. This Act takes effect September 1, 2025.