

AN ACT

relating to the criminal consequences of engaging in certain conduct with respect to a firearm silencer.

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

SECTION 1. Sections 46.05(a) and (e), 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;

(B) a machine gun; or

(C) a short-barrel firearm; [~~or~~

~~[(D) a firearm silencer,]~~

(2) knuckles;

(3) armor-piercing ammunition;

(4) a chemical dispensing device;

(5) a zip gun; [~~or~~

(6) a tire deflation device; or

1 (7) a firearm silencer, unless the firearm silencer is
2 classified as a curio or relic by the United States Department of
3 Justice or the actor otherwise possesses, manufactures,
4 transports, repairs, or sells the firearm silencer in compliance
5 with federal law.

6 (e) An offense under Subsection (a)(1), (3), (4), [~~or~~] (5),
7 or (7) is a felony of the third degree. An offense under Subsection
8 (a)(6) is a state jail felony. An offense under Subsection (a)(2)
9 is a Class A misdemeanor.

10 SECTION 2. The change in law made by this Act applies only
11 to an offense committed on or after the effective date of this Act.
12 An offense committed before the effective date of this Act is
13 governed by the law in effect on the date the offense was committed,
14 and the former law is continued in effect for that purpose. For
15 purposes of this section, an offense was committed before the
16 effective date of this Act if any element of the offense occurred
17 before that date.

18 SECTION 3. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 1819 was passed by the House on May 6, 2017, by the following vote: Yeas 142, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1819 on May 19, 2017, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1819 was passed by the Senate, with amendments, on May 17, 2017, by the following vote: Yeas 28, Nays 2.

Secretary of the Senate

APPROVED: _____

Date

Governor