

1-1 By: Perry, Burton S.B. No. 473
 1-2 (In the Senate - Filed February 6, 2015; February 10, 2015,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 April 14, 2015, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; April 14, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to defenses and exceptions to the prosecution of the
 1-20 criminal offense of the possession, manufacture, transport,
 1-21 repair, or sale of certain prohibited explosive weapons, firearms,
 1-22 and related items.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Sections 46.05(a) and (e), Penal Code, are
 1-25 amended to read as follows:

1-26 (a) A person commits an offense if the person intentionally
 1-27 or knowingly possesses, manufactures, transports, repairs, or
 1-28 sells:

1-29 (1) any of the following items, unless the item is
 1-30 registered in the National Firearms Registration and Transfer
 1-31 Record maintained by the Bureau of Alcohol, Tobacco, Firearms and
 1-32 Explosives or classified as a curio or relic by the United States
 1-33 Department of Justice:

- 1-34 (A) an explosive weapon;
- 1-35 (B) [~~(2)~~] a machine gun;
- 1-36 (C) [~~(3)~~] a short-barrel firearm; or
- 1-37 (D) [~~(4)~~] a firearm silencer;
- 1-38 (2) [~~(5)~~] knuckles;
- 1-39 (3) [~~(6)~~] armor-piercing ammunition;
- 1-40 (4) [~~(7)~~] a chemical dispensing device;
- 1-41 (5) [~~(8)~~] a zip gun; or
- 1-42 (6) [~~(9)~~] a tire deflation device.

1-43 (e) An offense under Subsection (a)(1), [~~(2)~~] (3), (4),
 1-44 [~~(6)~~, (7)], or (5) [~~(8)~~] is a felony of the third degree. An offense
 1-45 under Subsection (a)(6) [~~(a)(9)~~] is a state jail felony. An offense
 1-46 under Subsection (a)(2) [~~(a)(5)~~] is a Class A misdemeanor.

1-47 SECTION 2. Section 46.05(c), Penal Code, is repealed.

1-48 SECTION 3. The change in law made by this Act applies only
 1-49 to an offense committed on or after the effective date of this Act.
 1-50 An offense committed before the effective date of this Act is
 1-51 governed by the law in effect on the date the offense was committed,
 1-52 and the former law is continued in effect for that purpose. For
 1-53 purposes of this section, an offense was committed before the
 1-54 effective date of this Act if any element of the offense occurred
 1-55 before that date.

1-56 SECTION 4. This Act takes effect September 1, 2015.

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