

By: Meza

H.B. No. 632

A BILL TO BE ENTITLED

1 AN ACT

2 relating to creating a criminal offense for the unlawful possession
3 or transfer of a large-capacity magazine.

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

5 SECTION 1. Chapter 46, Penal Code, is amended by adding
6 Section 46.056 to read as follows:

7 Sec. 46.056. UNLAWFUL POSSESSION OR TRANSFER OF
8 LARGE-CAPACITY MAGAZINE. (a) In this section, "large-capacity
9 magazine" means a detachable ammunition feeding device that has the
10 capacity to accept, or can be readily converted to accept, more than
11 10 rounds. The term does not include:

12 (1) a .22 caliber tube ammunition feeding device;

19 (b) A person commits an offense if the person knowingly:

(1) possesses a large-capacity magazine; or

(c) An offense under this section is a Class A misdemeanor.

(d) It is a defense to prosecution under this section that

1 the actor engaged in the conduct while engaged in the actual
2 discharge of official duties, or directly en route to or from the
3 person's place of assignment, as:

4 (1) a peace officer; or
5 (2) a member of the armed forces or state military
6 forces as defined by Section 431.001, Government Code.

7 (e) It is a defense to prosecution under Subsection (b)(1)
8 that the actor lawfully possessed the large-capacity magazine on
9 August 31, 2023.

10 (f) If conduct that constitutes an offense under this
11 section also constitutes an offense under any other law, the actor
12 may be prosecuted under this section, the other law, or both.

13 SECTION 2. This Act takes effect September 1, 2023.