

**SUBJECT:** Establishing a DPS ammunition facility for law enforcement

**COMMITTEE:** Community Safety, Select — committee substitute recommended

**VOTE:** 11 ayes — Guillen, Jarvis Johnson, Bowers, Burrows, Canales, Dorazio, Goodwin, T. King, Landgraf, Moody, Troxclair

0 nays

2 absent — Harless, Holland

**WITNESSES:** For — Michael Bullock, Austin Police Association; CJ Grisham, Open Carry Texas; Trey Blocker, Texans for Ammo; Michael Belsick (*Registered, but did not testify*: Jennifer Szimanski, Combined Law Enforcement Associations of Texas; Chris McNutt, Texas Gun Rights; Erwin Ballarta, Texas Police Association; Derek Cohen, Texas Public Policy Foundation; Richard Bohnert; Thomas Parkinson; James Ransdell; Jim Riley; Greg Rising)

Against — Jeremy Cser (*Registered, but did not testify*: Nicole Golden, Texas Gun Sense; Robert Watson, Texas Impact; Cynthia Van Maanen, Travis County Democratic Party; Gordy Carmona; Linda Guy; Dash Kostka; Robert Mueller)

On — Jessica Ballew, Department of Public Safety; Darren LaSorte, National Shooting Sports Foundation; David Nash (*Registered, but did not testify*: Jessica Ballew, Rick Rinehart, Chief of Infrastructure Operations TXDPS)

**BACKGROUND:** Concerns have been raised that law enforcement agencies are experiencing a growing shortage of affordable ammunition, which could affect their ability to train officers and effectively respond to public safety needs.

**DIGEST:** HB 3539 would require the Department of Public Safety (DPS) to contract with a person to establish and operate a facility that acquired, stored, and

resold quality ammunition to law enforcement agencies. The purpose would be to ensure the availability of ammunition for use by those agencies for training and public safety with a preference for law enforcement officers and trainees. DPS would be required to closely supervise the facility to promote and ensure integrity, security, honesty, and fairness in its operation. The bill would define "quality ammunition" as ammunition that met the minimum safety specifications of the Sporting Arms and Ammunition Manufacturers' Institute for the caliber and type of cartridge manufactured, as specified.

A contract for the acquisition, storage, and resale of quality ammunition would require the ammunition to be manufactured in Texas and require the packaging for the ammunition to bear the words "Made in Texas" along with the state seal, state arms, or state flag.

The facility operator would have the powers necessary to carry out the duties imposed on the operator under such a contract. The facility operator would be required to acquire and store quality ammunition to be resold at a reasonable price for use by law enforcement officers and trainees. The facility operator would have to acquire and store enough ammunition to prepare for potential future shortages of ammunition from other sources.

The facility would be prohibited from selling ammunition or any component parts to any person except a law enforcement agency in Texas.

Any proceeds collected by DPS under an ammunition contract would be deposited in the general revenue fund to the credit of the law enforcement officer standards and education fund account and could be appropriated only for the purposes described by the bill, or for training and continuing education for law enforcement officers.

DPS would be required to submit an annual report to the governor and the Legislature on the condition, operation, and projected business activity of the facility by December 1 of each year.

This bill would take immediate effect if finally passed by a two-thirds

record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

NOTES:

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined at this time due to a lack of reliable information to provide a reasonably sound basis for estimating the impact of the bill because the scale and likely output of the facility and potential profits or losses associated with the operation of the facility are unknown.