

BILL ANALYSIS

Senate Research Center
76R773 KEL-D

S.B. 316
By: Ellis
Criminal Justice
2/22/1999
As Filed

DIGEST

Currently, a dealer of firearms may trade a handgun without including a trigger lock. A trigger lock wraps around the trigger of a gun, similar in design to a padlock; immobilizes the firearm; and prevents accidental discharge of the gun from restricted users, such as children. Approximately 500 children and teens die each year in the United States from accidental discharge of firearms. At the same time, homicide by a handgun is three times more likely in homes where firearms are stored, and suicide is five times more likely. Trigger locks may prevent a further increase in homicide. S.B. 316 would create a Class C misdemeanor offense for firearms dealers (licensed under Chapter 44, 18 U.S.C.) who sell or provide firearms to a person and do not sell or provide trigger locks intended to prevent accidental discharge.

PURPOSE

As proposed, S.B. 316 creates an offense for a dealer of firearms who sells, rents, leases, loans, or gives a person a firearm without a trigger lock.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 46, Penal Code, by adding Section 46.061, as follows:

Sec. 46.061. TRANSFER OF FIREARM BY DEALER. Defines "dealer of firearms." Establishes that a dealer of firearms commits an offense if the dealer sells, rents, leases, loans, or gives a firearm to a person and does not sell, rent, lease, loan or give to the person a trigger lock or similar device to prevent accidental discharge. Provides that an offense under this section is a Class C misdemeanor.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.