

By: Bailes

H.B. No. 102

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the unlawful possession of a firearm by a person not
3 lawfully present in the United States.

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

5 SECTION 1. Section 46.04, Penal Code, is amended by adding
6 Subsection (a-2) and amending Subsection (e) to read as follows:

7 (a-2) A person commits an offense if the person is not
8 lawfully present in the United States and possesses a firearm.

9 (e) An offense under Subsection (a) or (a-2) is a felony of
10 the third degree. An offense under Subsection (a-1), (b), or (c) is
11 a Class A misdemeanor.

12 SECTION 2. This Act takes effect January 1, 2024, if it
13 receives a vote of two-thirds of all the members elected to each
14 house, as provided by Section 39, Article III, Texas Constitution.
15 If this Act does not receive the vote necessary for effect on that
16 date, this Act takes effect on the 91st day after the last day of the
17 legislative session.