

By: Reynolds

H.B. No. 3271

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the seizure of firearms during the emergency detention
3 of certain persons who may have a mental illness.

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

5 SECTION 1. Section 573.001(h), Health and Safety Code, is
6 amended to read as follows:

7 (h) A peace officer who takes a person into custody under
8 Subsection (a) shall [~~may~~] immediately seize any firearm found in
9 possession of the person. After seizing a firearm under this
10 subsection, the peace officer shall comply with the requirements of
11 Article 18.191, Code of Criminal Procedure.

12 SECTION 2. The change in law made by this Act applies only
13 to an apprehension for an emergency detention that occurs on or
14 after the effective date of this Act. An apprehension for emergency
15 detention that occurs before the effective date of this Act is
16 governed by the law in effect on the date the apprehension for
17 emergency detention occurred, and the former law is continued in
18 effect for that purpose.

19 SECTION 3. This Act takes effect September 1, 2023.