

By: Martinez Fischer

H.B. No. 4124

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offenses of terroristic threat and unlawful possession of a firearm; creating a criminal offense.

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

SECTION 1. Section 22.07, Penal Code, is amended by adding Subsections (a-1) and (e-1) to read as follows:

(a-1) A person commits an offense if the person knowingly sends a written message, including a text message, e-mail, social media post, or other similar communication, to another:

(1) in which the actor threatens to cause bodily injury to another person, including a threat to commit a mass shooting or other act of terrorism; and

(2) that would cause a reasonable person to fear that the actor might cause bodily injury to another.

(e-1) An offense under Subsection (a-1) is a Class A misdemeanor.

SECTION 2. Section 46.04(b), Penal Code, is amended to read as follows:

(b) A person who has been convicted of an offense under Section 22.01, punishable as a Class A misdemeanor and involving a member of the person's family or household, or an offense under Section 22.07(a-1), commits an offense if the person possesses a firearm before the fifth anniversary of the later of:

(1) the date of the person's release from confinement

1 following conviction of an offense described by this subsection  
2 [~~the misdemeanor~~]; or

3 (2) the date of the person's release from community  
4 supervision following conviction of an offense described by this  
5 subsection [~~the misdemeanor~~].

6 SECTION 3. The change in law made by this Act applies only  
7 to an offense committed on or after the effective date of this Act.  
8 An offense committed before the effective date of this Act is  
9 governed by the law in effect on the date the offense was committed,  
10 and the former law is continued in effect for that purpose. For  
11 purposes of this section, an offense was committed before the  
12 effective date of this Act if any element of the offense occurred  
13 before that date.

14 SECTION 4. This Act takes effect September 1, 2023.