

By: Birdwell, Eckhardt

S.B. No. 2202

A BILL TO BE ENTITLED

AN ACT

relating to the trafficking of a firearm to a foreign terrorist organization and to the unlawful transfer of firearms between this state and the United Mexican States; creating a criminal offense.

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

SECTION 1. Chapter 46, Penal Code, is amended by adding Section 46.145 to read as follows:

Sec. 46.145. TRAFFICKING FIREARM TO FOREIGN TERRORIST ORGANIZATION. (a) In this section, "foreign terrorist organization" has the meaning assigned by Section 71.01.

(b) A person commits an offense if the person intentionally or knowingly transfers, for profit or any other form of remuneration, a firearm to an individual who the person knows:

(1) is a member of a foreign terrorist organization;  
or

(2) intends to transfer the firearm to a member of a foreign terrorist organization.

(c) An offense under this section is a felony of the second degree.

(d) This section does not apply to a person licensed as a firearms dealer, manufacturer, or importer under 18 U.S.C. Section 923 who is lawfully engaged in the business of dealing in, manufacturing, or importing firearms.

SECTION 2. Sections 411.02095(a) and (d), Government Code,

1 are amended to read as follows:

2 (a) The department may establish a program throughout this  
3 state for preventing and detecting:

4 (1) the unlawful possession or the unlawful and  
5 imminent movement or transfer between this state and an adjacent  
6 state or the United Mexican States of:

7 (A) firearms, in violation of Section 46.14 or  
8 46.145, Penal Code;

9 (B) controlled substances, in violation of  
10 Chapter 481, Health and Safety Code; or

11 (C) currency, in violation of Section 34.02,  
12 Penal Code; and

13 (2) the commission or imminent commission of the  
14 offenses of smuggling of persons under Section 20.05, Penal Code,  
15 and trafficking of persons under Section 20A.02, Penal Code,  
16 occurring in this state or involving travel between this state and  
17 an adjacent state or the United Mexican States.

18 (d) The department shall implement the program established  
19 under this section in conjunction with the United Mexican States  
20 and federal and local law enforcement agencies.

21 SECTION 3. Section 411.02096(a), Government Code, is  
22 amended to read as follows:

23 (a) Not later than January 31 of each year, the department  
24 shall collect information for the preceding calendar year related  
25 to the carrying of firearms and the unlawful transfer of firearms  
26 between this state and the United Mexican States by persons in this  
27 state, including:

1           (1) the number of persons who applied for a license to  
2 carry a handgun under Subchapter H compared to the yearly average  
3 number of people who applied for a license from 2010 through 2020;  
4 ~~[and]~~

5           (2) the number of firearms that were seized by a law  
6 enforcement agency in this state or the United Mexican States, or  
7 that were otherwise identified as being used to commit an offense in  
8 this state or the United Mexican States, if the seizure or offense  
9 occurred at any time following the unlawful transfer of those  
10 firearms from:

11                     (A) the United Mexican States to this state; or

12                     (B) this state to the United Mexican States; and

13           (3) any other relevant information related to the  
14 carrying of firearms by persons in this state or the unlawful  
15 transfer of firearms between this state and the United Mexican  
16 States.

17           SECTION 4. This Act takes effect September 1, 2025.