

BILL ANALYSIS

S.B. 1188
By: Estes
Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current state law, a Texas resident may purchase firearms, ammunition, reloading components, or firearm accessories only in Texas and the contiguous states of New Mexico, Oklahoma, Arkansas, and Louisiana. This law was enacted at a time when the Federal Gun Control Act prohibited gun sales from noncontiguous states. Since then, the United States Code, specifically 18 U.S.C. Section 922(b)(3)(A), has been updated to allow for interstate firearm purchases, except those precluded by law.

The current state law has prevented the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco, Firearms, and Explosives from approving otherwise lawful sales of firearms to Texas residents in 45 other states.

S.B. 1188 allows Texas residents, unless otherwise precluded by law, to purchase firearms, ammunition, reloading components, or firearm accessories in all 50 states.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1188 amends the Penal Code to authorize a Texas resident, if not otherwise precluded by law, to purchase firearms, ammunition, reloading components, or firearm accessories in another state, rather than in contiguous states.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.