

By: Creighton

H.B. No. 3267

A BILL TO BE ENTITLED

AN ACT

relating to unlawful possession of a firearm by an illegal alien;
providing penalties.

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

SECTION 1. Section 46.04, Penal Code, is amended by adding
Subsection (b-1) and amending Subsections (d) and (e) to read as
follows:

(b-1) A person commits an offense if the person is an
illegal alien and possesses a firearm.

(d) In this section:

(1) "Family," [~~,"family,"~~] "household," and "member
of a household" have the meanings assigned by Chapter 71, Family
Code.

(2) "Illegal alien" means a person who:

(A) is not a citizen or national of the United
States; and

(B) is unlawfully present in the United States
according to the terms of 8 U.S.C. Section 1101 et seq.

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

SECTION 2. This Act takes effect September 1, 2013.