

By: Menéndez

S.B. No. 221

A BILL TO BE ENTITLED

1 AN ACT
2 relating to prohibiting the transfer of a firearm to a person listed
3 in the terrorist screening database maintained by the Federal
4 Bureau of Investigation.

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

6 SECTION 1. Section 46.06(a), Penal Code, is amended to read
7 as follows:

8 (a) A person commits an offense if the person:

9 (1) sells, rents, leases, loans, or gives a handgun to
10 any person knowing that the person to whom the handgun is to be
11 delivered intends to use it unlawfully or in the commission of an
12 unlawful act;

13 (2) intentionally or knowingly sells, rents, leases,
14 or gives or offers to sell, rent, lease, or give to any child
15 younger than 18 years any firearm, club, or illegal knife;

16 (3) intentionally, knowingly, or recklessly sells a
17 firearm or ammunition for a firearm to any person who is
18 intoxicated;

19 (4) knowingly sells a firearm or ammunition for a
20 firearm to any person who has been convicted of a felony before the
21 fifth anniversary of the later of the following dates:

22 (A) the person's release from confinement
23 following conviction of the felony; or

24 (B) the person's release from supervision under

1 community supervision, parole, or mandatory supervision following
2 conviction of the felony;

3 (5) sells, rents, leases, loans, or gives a handgun to
4 any person knowing that an active protective order is directed to
5 the person to whom the handgun is to be delivered; ~~or~~

6 (6) knowingly purchases, rents, leases, or receives as
7 a loan or gift from another a handgun while an active protective
8 order is directed to the actor; or

9 (7) sells, rents, leases, loans, or gives a firearm to
10 a person the name of whom the actor knows is included in the
11 terrorist screening database maintained by the Federal Bureau of
12 Investigation.

13 SECTION 2. The change in law made by this Act applies only
14 to an offense committed on or after the effective date of this Act.
15 An offense committed before the effective date of this Act is
16 governed by the law in effect on the date the offense was committed,
17 and the former law is continued in effect for that purpose. For
18 purposes of this section, an offense was committed before the
19 effective date of this Act if any element of the offense occurred
20 before that date.

21 SECTION 3. This Act takes effect September 1, 2017.