

BILL ANALYSIS

S.B. 162
By: Blanco
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In the interest of public safety, state law contains various provisions which limit the ability of certain individuals to obtain a firearm. While many of these provisions enforce to whom the seller of a firearm may legally provide a firearm, it has been suggested that stronger criminal penalties are needed to deter unfit individuals from seeking to acquire a firearm in the first place. S.B. 162 seeks to address this issue by creating a state jail felony offense for a person prohibited from possessing a firearm who makes false statements on certain forms relating to firearms.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 162 amends the Penal Code to create a state jail felony offense for a person prohibited from possessing a firearm under state or federal law who knowingly makes a material false statement on a form that is:

- required by state or federal law for the purchase, sale, or other transfer of a firearm; and
- submitted to a licensed firearms dealer, as defined by federal law.

EFFECTIVE DATE

September 1, 2021.