

By: Blanco

S.B. No. 555

A BILL TO BE ENTITLED

AN ACT

relating to the unlawful possession of a firearm by persons convicted of offenses committed because of bias or prejudice or of certain felony offenses; creating a criminal offense.

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

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

(a-1) A person commits an offense if the person possesses a firearm at any time after the person has been convicted of:

(1) an offense for which the judgment contains an affirmative finding under Article 42.014, Code of Criminal Procedure; or

(2) a felony under:

(A) Section 19.02;

(B) Section 19.03;

(C) Chapter 20;

(D) Chapter 20A;

(E) Section 22.01;

(F) Section 22.011;

(G) Section 22.02;

(H) Section 22.021;

(I) Section 22.04;

(J) Section 22.041;

1 (K) Section 25.07;

2 (L) Section 25.071;

3 (M) Section 25.072;

4 (N) Section 29.02;

5 (O) Section 29.03; or

6 (P) Section 42.072.

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

10 (h) If conduct that constitutes an offense under Subsection
11 (a-1) also constitutes an offense under Subsection (a), the actor
12 may be prosecuted under Subsection (a) or (a-1), but not both. If
13 conduct that constitutes an offense under Subsection (a-1) also
14 constitutes an offense under Subsection (b), the actor may be
15 prosecuted under Subsection (a-1) or (b), but not both.

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

24 SECTION 3. This Act takes effect September 1, 2021.