

By: Meza

H.B. No. 885

A BILL TO BE ENTITLED

AN ACT

relating to the unlawful possession of a firearm by persons convicted of certain misdemeanor offenses in this state.

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

SECTION 1. Sections 46.04(b) and (d), Penal Code, are amended to read as follows:

(b) A person who has been convicted of an offense under Section 22.01, punishable as a Class A misdemeanor and involving a member of the person's family or household, or of a violent misdemeanor commits an offense if the person possesses a firearm before the fifth anniversary of the later of:

(1) the date of the person's release from confinement following conviction of the misdemeanor; or

(2) the date of the person's release from community supervision following conviction of the misdemeanor.

(d) In this section:

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

(2) "Violent misdemeanor" means an offense under the laws of this state that is punishable as a misdemeanor and that has as an element the use, attempted use, or threatened use of force against any person.

SECTION 2. The change in law made by this Act applies only

1 to an offense committed on or after the effective date of this Act.  
2 An offense committed before the effective date of this Act is  
3 governed by the law in effect on the date the offense was committed,  
4 and the former law is continued in effect for that purpose. For  
5 purposes of this section, an offense was committed before the  
6 effective date of this Act if any element of the offense occurred  
7 before that date.

8 SECTION 3. This Act takes effect September 1, 2023.