



Amendment to SB 1362:

SECTION __. Section __ of SB 1362 is amended to add the following:

LOCAL GOVERNMENT AUTHORITY PRESERVED.

Notwithstanding any provision of this Act, a municipality or county may enact and enforce a local policy or ordinance allowing for the issuance of an extreme risk protection order by a court of competent jurisdiction, provided that:

1. The local policy includes due process protections consistent with the Texas and U.S. Constitutions, including notice, a right to a hearing, and the right to counsel;
2. The petition for an order is based on sworn evidence that the individual poses an imminent danger of causing harm to self or others;
3. The order is temporary and subject to judicial review, with a full hearing to be held within a reasonable period;
4. The order does not permanently dispossess any individual of their lawfully owned firearms absent a separate criminal or mental health adjudication under state or federal law;
5. The ordinance shall not be construed to authorize firearm confiscation without court approval.