

BILL ANALYSIS

H.B. 4675
By: Hefner
Homeland Security, Public Safety & Veterans' Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that although it is illegal under federal law for a person who is not lawfully present in the United States to possess a firearm, there is no equivalent Texas law, and local and state law enforcement have no authority to enforce the federal law. In April 2023, a person not lawfully present in the U.S. who had been deported four times murdered a family of five in San Jacinto County with a firearm he was prohibited from having due to his immigration record, as reported by NBC News and The Associated Press. While the sheriff's office cannot enforce federal immigration laws, the bill author has informed the committee that having the ability to arrest for illegal firearm possession could have been an effective tool in preventing those deaths as well as addressing criminal interdiction in and around the Texas-Mexico border. H.B. 4675 seeks to address this issue by creating an offense for possession of a firearm by a person not lawfully present in the United States.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change 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

H.B. 4675 amends the Penal Code to expand the conduct that constitutes third degree felony unlawful possession of a firearm to include possession of a firearm by a person who is not lawfully present in the United States.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.