

By: Virdell

H.B. No. 2759

A BILL TO BE ENTITLED

AN ACT

relating to the unlawful possession of a firearm by a person convicted of certain felony offenses.

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

SECTION 1. Section 46.04, Penal Code, is amended by amending Subsection (a) and adding Subsection (a-2) to read as follows:

(a) A person who has been convicted of a felony described by Subsection (a-2) commits an offense if the person ~~he~~ possesses a firearm:

(1) after conviction and before the fifth anniversary of the person's release from confinement following conviction of the felony or the person's release from supervision under community supervision, parole, or mandatory supervision, whichever date is later; or

(2) after the period described by Subdivision (1), at any location other than the premises at which the person lives.

(a-2) Subsection (a) applies only to a felony:

(1) that has as an element the intentional or knowing use, attempted use, or threatened use of force; or

(2) under any of the following provisions of the Penal Code:

(A) Title 5;

(B) Section 25.02;

- (C) Section 25.04;
- (D) Section 25.08;
- (E) Section 28.02;
- (F) Chapter 29;
- (G) Section 30.02;
- (H) Section 42.02;
- (I) Section 42.072;
- (J) Section 42.09;
- (K) Section 42.091;
- (L) Section 42.092;
- (M) Section 42.10;
- (N) Section 42.105;
- (O) Section 43.05;
- (P) Section 43.25;
- (Q) Section 43.251; or
- (R) Title 12.

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

SECTION 3. This Act takes effect September 1, 2025.