

## **BILL ANALYSIS**

Senate Research Center

S.B. 548  
By: Shapiro  
Criminal Justice  
4-22-97  
Committee Report (Amended)

### **DIGEST**

Currently, the unlawful transfer of certain weapons to children younger than 18 years of age is a Class A misdemeanor. This legislation makes the offense a state jail felony if the weapon that is the subject of the offense is a handgun, in an attempt to deter juvenile crime.

### **PURPOSE**

As proposed, S.B. 548 establishes the punishment for the offense of unlawfully transferring a handgun to a child younger than 18 years of age.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 46.06(d), Penal Code, to provide that an offense under this section is a Class A misdemeanor, except that an offense under Subsection (a)(2), the offense of intentionally or knowingly selling, renting, leasing, or giving or offering to rent, lease, or give a handgun to any child younger than 18 years of age, is a state jail felony.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

Amendment 1.

Page 1, lines 8-9, strike "felony of the third degree" and insert "state jail felony," to amend the punishment for the offense of unlawfully transferring a weapon.