

BILL ANALYSIS

Senate Research Center

H.B. 913
By: Alvarado et al. (Taylor, Larry)
Criminal Justice
5/17/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 913 amends the Penal Code to expand the conduct that constitutes a third degree felony offense involving the intentional or knowing possession, manufacture, transport, repair, or sale of a prohibited weapon to include intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling an improvised explosive device, defined by the bill as a completed and operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated in an improvised manner using nonmilitary components. H.B. 913 clarifies that the term "improvised explosive device" does not include unassembled components that can be legally purchased and possessed without a license, permit, or other governmental approval.

H.B. 913 amends current law relating to the prosecution of the criminal offense of the possession, manufacture, transport, repair, or sale of certain prohibited explosive weapons.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 46.01, Penal Code, by adding Subdivision (18), to define "improvised explosive device."

SECTION 2. Amends Sections 46.05(a) and (e), Penal Code, as follows:

(a) Provides that a person commits an offense if the person intentionally or knowingly possesses, manufactures, transports, repairs, or sells certain items, including an improvised explosive device. Makes nonsubstantive changes.

(e) Provides that an offense under certain subsections, including Subsection (7) (relating to an offense if a person possesses, manufactures, transports, repairs, or sells an improvised explosive device) is a felony of the third degree.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2017.