

BILL ANALYSIS

Senate Research Center
85R2915 JSC-D

S.B. 221
By: Menéndez
Criminal Justice
3/16/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As it currently stands, Texas does not have legislation regarding people who are on the Federal Bureau of Investigation's (FBI) "No Fly" or Terrorist Watch list being able to purchase a firearm. Therefore, even if an individual is being investigated, they may still undergo a background check and purchase a firearm. Although terrorist attacks involving guns have become more common, there has not been action taken to stop these purchases and protect our citizens. Further, Congress has not taken action towards similar legislation. It is now up to the Texas Legislature to ensure the safety of our citizens from attacks such as the attack at the Orlando nightclub or the attack at Fort Hood.

S.B. 221 prohibits the sale of firearms to individuals who are listed on the FBI "No Fly" and Terrorist Watch list. This legislation makes sure that these firearms do not fall into the wrong hands and protects the citizens of Texas.

As proposed, S.B. 221 amends current law relating to prohibiting the transfer of a firearm to a person listed in the terrorist screening database maintained by the Federal Bureau of Investigation.

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 46.06(a), Penal Code, to provide that a person commits an offense if the person commits certain actions, including selling, renting, leasing, loaning, or giving a firearm to a person the name of whom the actor knows is included in the terrorist screening database maintained by the Federal Bureau of Investigation.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2017.