

## Texas 2A Sanctuary Bills Comparison

|                                       | SB 513 by Hall (passed by Senate 4/28/21)   | HB 2622 by Holland (passed by House 4/30/21)   |
|---------------------------------------|---|--|
| <b>Prohibition</b>                    |   |  |
| <b>These people:</b>                  | <ul style="list-style-type: none"> <li>• Texas state agencies and all other governmental entities created by TX Constitution or TX statute</li> <li>• Local gov't governing bodies</li> <li>• District Attorney &amp; Criminal District Attorney</li> <li>• Officers or employees of local gov't (including law enforcement and judicial)</li> </ul>  | <ul style="list-style-type: none"> <li>• Texas state agencies &amp; their employees</li> <li>• Political subdivisions of Texas &amp; their employees</li> <li>• Individual law enforcement officers</li> </ul>   |
| <b>Cannot:</b>                        | . . . adopt a rule, order, ordinance, or policy under which the entity enforces, or by consistent action allows the enforcement of the Federal firearms-related laws listed below.  | . . . contract with or in any other manner provide assistance to a federal agency or official with respect to the enforcement of a Federal firearms-related law listed below.<br><br><b>Except:</b> this prohibition “does not apply to a contract or agreement to provide assistance in the enforcement of a federal statute order, rule, or regulation in effect on January 19, 2021.”<br><br><i>This is vague and could be taken to mean either that it's fine for entities to enforce any Federal firearms-related law in effect on 1/19/21, OR that it's fine for entities to enforce any Federal firearms-related laws, including future laws, as long as the entity had some kind of agreement in place on 1/19/21 that they would help enforce laws.</i> |
| <b>To enforce these laws:</b>         | A federal statute, order, rule, or regulation enacted on or after January 1, 2021, that doesn't exist in Texas law, purports to regulate a firearm, a firearm accessory, or firearm ammunition, and imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation, a registration requirement, or a background check.  | A Federal statute, order, rule, or regulation enacted after January 19, 2021, that doesn't exist in Texas law and involves any type of registry, licensing scheme, background check, confiscation, or forced selling of a firearm, ammunition, or firearm accessory.   |
| <b>Punishment</b>                     |   |  |
| <b>Loss of Funding</b>                | State grant funds for the entity shall be denied for the fiscal year following the year of a final judicial determination that the entity has violated the above prohibition.   | State grant funds for the entity shall be denied for the fiscal year following the year of a final judicial determination that the entity has violated the above prohibition.  |
| <b>Individual Criminal Punishment</b> | Class A misdemeanor for individuals described above who, in their official capacity of an entity described above (or at the direction or control of such an entity, or under color of law), enforce or attempt to enforce Federal laws described above.<br><br><b>Amendment:</b> no criminal penalty for an individual law enforcement officer acting as part of a joint task force (however, their department still loses funding, and all other individuals still receive a criminal penalty).          | (none)   |
| <b>Attorney General enforcement</b>   | Any citizen can file a complaint with the Attorney General, including evidence to support an allegation that the entity has adopted a rule, order, ordinance, or policy under which the entity enforces a federal law described above or that the entity, by consistent actions, allows the enforcement such a law.<br><br>After a citizen files a complaint, the Attorney General may file a lawsuit to compel the entity to stop violating this law (e.g., to stop enforcing the Federal firearm laws). | Any citizen can file a complaint with the Attorney General, including evidence to support an allegation that the entity has adopted a rule, order, ordinance, or policy under which the entity enforces a federal law described above or that the entity, by consistent actions, allows the enforcement such a law.<br><br>After a citizen files a complaint, the Attorney General may file a lawsuit to compel the entity to stop violating this law (e.g., to stop enforcing the Federal firearm laws).  |