

Community Safety, Select Committee
18 April 2023 Meeting, 9:00 A.M. in E2.012

There will be a lot of anti-gun bills heard in committee tomorrow at the Capitol. If you can't attend, please click the link and share your comments for the committee to review. If the link doesn't work, copy and paste it into your browser.

Link to Comment page:

<https://comments.house.texas.gov/home?c=c190>

GOA Position: **Against**

HB 22
HB 106
HB 220
HB 236
HB 298
HB 533
HB 1007
HB 1138
HB 2744
HB 3271
HB 3435
HB 3534
HB 4472

GOA Position: Neutral

HB 4639

GOA Position: **For**

HB 1894
HB 2291
HB 3138
SB 599

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HB 22

Moody

Relating to requiring the report of certain sales of multiple firearms and multiple firearm magazines; creating a criminal offense.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB000221.htm>

GOA Position: **Against**

Talking Point(s): This would require the reporting and creation of a database to track legal activity – that of buying more than a single firearm or 3 magazines in 5 days. It snoops and intrudes on the legal activity of citizens, without serving any crime fighting purpose. Crime is high because DA's in Harris, Dallas, Bexar, and Travis counties don't prosecute criminals.

HB 106

Bernal

Relating to the required reporting of multiple sales of certain firearms to law enforcement.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB001061.htm>

GOA Position: **Against**

Talking Point(s): As with HB22, just this time with semi-automatic rifles, this bill seeks to track and database fully legal activity, without any legitimated crime fighting purpose, instead merely to snoop on gun buyers and create a register of firearms.

HB 220

Goodwin

Relating to the offense of unlawful transfer of handguns and other firearms and to the duties of certain entities with respect to handgun licenses that are active, suspended, or revoked; creating a criminal offense.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB002201.htm>

GOA Position: **Against**

Talking Point(s): This bill would require a FFL Dealer to verify with the State that an LTC has not been suspended or revoked before being able to use the LTC for completing a firearms sale. There is no ability of the State to provide this information during the weekends or after business hours, thus making the LTC un-useable for firearms purchase. Persons with LTC's are among the most law abiding of all citizens, and are responsible for minuscule levels of crime. Again, crime is high from big city DA's refusing to bring changes against criminals.

HB 236

Goodwin

Relating to requiring a national instant criminal background check in connection with private firearm transfers; creating a criminal offense.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB002361.htm>

GOA Position: **Against**

Talking Point(s): This bill would criminalize private firearms sales to another individual, unless the seller involves a FFL for the transfer. It penalizes the law abiding, adding cost and complexity to their sale of their own property. It is also the first step to creating a statewide database of firearms, as all firearm sales would be recorded, tracked, and databased.

HB 298

Goodwin

Relating to a required waiting period for firearm sales; creating a criminal offense.

GOA Position: **Against**

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB00298I.htm>

Talking Point(s): This bill would require a 3 day wait after purchase and background check, before picking up a firearm. In Texas big cities, this is a longer period of time that someone arrested on capitol murder spends in jail before receiving bail, and is also the reason why crime has increased in Texas (155 murders in Harris county in 2021 committed by those on bond). Waiting periods are a failed way to reduce crime, and do nothing to keep guns out of criminal hands.

HB 533

Wu

Relating to the seizure of firearms during the emergency detention of certain persons who may have a mental illness.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB00533I.htm>

GOA Position: **Against**

Talking Point(s): This bill would require the seizing of not only the firearms possessed by a person subject to an emergency detention, but any firearm that “or found in plain sight and readily accessible to the person.” This bill would allow the seizure of other people’s firearms as well, such as family members. This bill is not needed – the person in question is already be detailed, and firearms that they themselves possess can be seized. There is no reason to take other people’s guns.

HB 1007

Turner

Relating to prohibiting weapons in certain facilities or residences providing services to individuals with an intellectual disability or a developmental disability.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB01007I.htm>

GOA Position: **Against**

Talking Point(s): This bill would criminalize the lawful carry of firearms in facilities that assist people with disabilities. After 35 years of CHL/LTC and now Constitutional Carry, legal carry of firearms by citizens has proven not to be a problem. This bill would create more on paper “gun free zones”, zones that are know to be targeted for multiple shootings, and require law abiding citizens store guns in their cars, where they are vulnerable to theft.

HB 1138

Martinez

Relating to the prosecution of the criminal offense of reckless discharge of a firearm.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB01138I.htm>

GOA Position: **Against**

Talking Point(s): This bill would include all municipalities, not just those above 100,000 in population, in the prohibition against reckless discharge of a firearm. This bill is not needed, as there are already laws concerning the reckless and improper discharge of firearms.

HB 1894

Cain

Relating to prohibiting the recognition and enforcement of extreme risk protective orders; creating a criminal offense.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB01894I.htm>

GOA Position: **For**

Talking Point(s): This bill would prevent the enforcement of “red flag / grab” laws, that are held in secret from the accused and without due process. After the one sided proceeding, the accused then has the job of trying to convince a judge that they made the wrong decision and they need to reverse themselves. There is already the ability in Texas, with due process, to temporarily seize a citizen’s firearms, if needed, without the need for red flag grab proceedings.

HB 2291

Slawson

Relating to the carrying or possession of a handgun by certain retired judges and justices.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB02291I.htm>

GOA Position: **For**

Talking Point(s): This bill would allow retired judges to carry a firearm in the same locations as active judges, and would help improve public safety.

HB 2744

King, Tracy O.

Relating to prohibiting the transfer of certain semiautomatic rifles to certain recipients; creating a criminal offense; increasing a criminal penalty.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB02744I.htm>

GOA Position: **Against**

Talking Point(s): This bill would criminalize the sale of a semi-automatic rifle to those Texas citizens between the ages of 18 and 21. These citizens are fully legal adults, with all the responsibilities of being a citizen, and it is wrong to attempt to deny them the rights of adulthood, including the ability to buy and possess the same firearms that other adults can purchase. In addition, this proposed law is in violation of findings of the Federal 5th Circuit Court of Appeals, which has found that firearm rights, including the ability to obtain an LTC, are full Constitutional rights that can not be denied to citizens between the ages of 18 to 21.

HB 3138

Isaac

Relating to recognizing a license to carry a handgun issued by another state.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB03138I.htm>

GOA Position: **For**

Talking Point(s): This bill would recognize the firearm carry permit of any other state, instead of having the governor negotiate with other states for recognizing permits. With Constitutional Carry recognized for out of state residents anyway, there is no reason not to fully recognize the carry permits from other states as well.

HB 3271

Reynolds

Relating to the seizure of firearms during the emergency detention of certain persons who may have a mental illness.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB032711.htm>

GOA Position: **Against**

Talking Point(s): This bill would require the seizure of firearms from persons subject to emergency detention, rather than leave it up to the particular details of the situation. As the subject is already being detained, and will not have access to their firearms, it is sufficient to allow the decision as to if firearms need to be seized to the law enforcement personnel involved.

HB 3435

Reynolds

Relating to creating the criminal offense of making a firearm accessible to a detained person.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB034351.htm>

GOA Position: **Against**

Talking Point(s): This bill would criticize allowing access to a firearm to a person detained in a mental hospital by law enforcement. This bill is un-needed as these persons are already being confined in a facility where possession of firearms is prohibited.

HB 3534

Morales

Relating to the provision of information regarding firearm violence and suicide prevention.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB035341.htm>

GOA Position: **Against**

Talking Point(s): This bill would require a brochure concerning "firearm violence and suicide prevention" be provided to those buying a firearm. The brochure would include "statistics regarding victims of firearm violence" which is not relevant to the purchase of a firearm and rather is a political message concerning firearms ownership.

HB 4472

Dutton

Relating to requiring the Texas Department of Public Safety and the Texas School Safety Center to provide information and resources regarding safe firearm storage to school districts and open-enrollment charter schools for distribution to the parents or legal custodians of students.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB044721.htm>

GOA Position: **Against**

Talking Point(s): This bill would require the State provide to all schools "information and resources about safe firearm storage", without providing any details as to if the messaging will be non-political in nature and merely how to properly store firearms, or if the message will be to not own firearms.

HB 4639

Thimesch

Relating to the carrying of a handgun in a motor vehicle or watercraft.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB04639I.htm>

GOA Position: Neutral

Talking Point(s): This bill would extend to motor vehicle or watercraft not owned by the subject, the prohibitions of carry of handguns either openly if under 21 and not possessing an LTC, or while engaging in criminal activity. Currently the prohibitions only extend to the subject owns the vehicle.

SB 599

Birdwell

Relating to the carrying or possession of a handgun by a district clerk and the issuance of a handgun license to a district clerk.

<https://capitol.texas.gov/tlodocs/88R/billtext/html/SB00599I.htm>

GOA Position: For

Talking Point(s): This bill would extend to a district clerk the same provisions for handgun carry with an LTC as other officers of the court.