

1-1 By: Huffman S.B. No. 1944
1-2 (In the Senate - Filed March 13, 2015; March 25, 2015, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 30, 2015, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 30, 2015,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----------|-----|--------|-----|
| 1-8 | | | | |
| 1-9 | Whitmire | X | | |
| 1-10 | Huffman | X | | |
| 1-11 | Burton | X | | |
| 1-12 | Creighton | X | | |
| 1-13 | Hinojosa | X | | |
| 1-14 | Menéndez | X | | |
| 1-15 | Perry | X | | |

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1944 By: Huffman

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the disposition of a firearm seized from certain
1-20 persons with mental illness.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Articles 18.191(c) and (d), Code of Criminal
1-23 Procedure, are amended to read as follows:

1-24 (c) Not later than the 30th day after the date a firearm
1-25 subject to disposition under this article is seized, the law
1-26 enforcement agency holding the firearm shall contact the court in
1-27 the county having jurisdiction to order commitment under Chapter
1-28 574, Health and Safety Code, and request the disposition of the
1-29 case. Not later than the 30th day after the date of this request,
1-30 the clerk of the court shall advise the requesting agency whether
1-31 the person taken into custody was released under Section 573.023 or
1-32 574.028, Health and Safety Code, or was ordered to receive
1-33 inpatient mental health services under Section 574.034 or 574.035,
1-34 Health and Safety Code.

1-35 (d) Not later than the 30th day after the date the clerk of
1-36 the court informs a law enforcement agency holding a firearm
1-37 subject to disposition under this article that the person taken
1-38 into custody was released under Section 573.023 or 574.028, Health
1-39 and Safety Code, the law enforcement agency shall:

1-40 (1) conduct a check of state and national criminal
1-41 history record information to verify whether the person may
1-42 lawfully possess a firearm under 18 U.S.C. Section 922(g); and

1-43 (2) provide written notice to the person by certified
1-44 mail that the firearm may be returned to the person on verification
1-45 under Subdivision (1) that the person may lawfully possess the
1-46 firearm.

1-47 SECTION 2. This Act takes effect September 1, 2015.

1-48 * * * * *