

SUBJECT: Prohibiting possession of improvised explosive devices

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 7 ayes — Moody, Hunter, Canales, Gervin-Hawkins, Hefner, Lang,
Wilson

0 nays

WITNESSES: For — Jason Countryman and Ellen Bedingfield, Houston Police Department; (*Registered, but did not testify*: Chas Moore, Austin Justice Coalition; Frederick Frazier, Dallas Police Association; Reuben Ramirez, Dallas Police Department; Clay Taylor, Department of Public Safety Officers Association; David Sinclair, Game Warden Peace Officers Association; Ray Hunt, Houston Police Officers' Union; Bill Elkin, Houston Police Retired Officers Association; Jesse Ozuna, City of Houston Mayor's Office; James Jones, San Antonio Police Department; Jimmy Rodriguez, San Antonio Police Officers Association; Buddy Mills, Ricky Scaman, and Micah Harmon, Sheriffs' Association of Texas; Monty Wynn, Texas Municipal League; Noel Johnson, Texas Municipal Police Association)

Against — Alice Tripp, Texas State Rifle Association; Mike Bush

BACKGROUND: Penal Code, sec. 46.05 prohibits certain weapons.

Some have called for the possession of improvised explosive devices to be banned regardless of whether the device was federally registered or classified as a curio or relic.

DIGEST: CSHB 913 would make intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling an improvised explosive device a third-degree felony (two to 10 years in prison and an optional fine of up to \$10,000).

The bill would define an improvised explosive device as a completed and

operational bomb designed to cause serious bodily injury, death, or substantial property damage that is fabricated with nonmilitary components. It would not include unassembled components that can be legally purchased and possessed without a license, permit or other governmental approval.

The bill would take effect September 1, 2017, and would apply only to an offense committed on or after the effective date.