



CITY OF HOUSTON

Sylvester Turner

Mayor

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April 8, 2021

The Honorable James White
Chairman, Homeland Security & Public Safety Committee
Texas House
Austin, Texas 78711-2068

Re: Support for House Bill 118

Dear Chairman White and Members of the Committee:

On behalf of Mayor Sylvester Turner, thank you for the opportunity to testify in support of House Bill 118 regarding background checks.

In March of 2018, Haley Carter was named Chair of the Mayor's Commission Against Gun Violence. Following the tragedies in Parkland, Florida and Santa Fe, Texas, and in recognition of the wider gun violence epidemic tearing across our nation, Mayor Turner created the Commission with respect to March for Our Lives, the national student-led gun violence prevention movement.

He asked 37 individuals who represent a cross-section of the Houston community to serve on this new Mayor's Commission. The diverse group includes students, parents, physicians, law enforcement officials, gun-rights advocates, gun violence victims and members of faith-based and civil rights organizations. Carter is a native Houstonian, MBA, retired United States Marine officer, former Houston Dash soccer player and now a 3rd year law student at the University of Houston.

In November 2018, the Mayor's Government Relations team produced recommendations for the Texas Legislature. They involved firearms legislation, budget amendments, and state administrative action.

One of the biggest disappointments we had was the lack of action on one of our key recommendations and one generating some of the most public support: universal background checks.

Pursuant to the Brady Act, if a vendor is a federally licensed firearm dealer (FFL), they are required to perform a background check prior to completing the sale of the firearm. However, unlicensed sellers (vendors and private individuals) are also permitted to sell firearms at gun shows. As an unlicensed seller, that individual or vendor is not required to keep records of sales and is not required to perform background checks.

Thus, an individual who would be prohibited from purchasing a gun under federal law, such as a felon or domestic abuser, would be able to purchase a gun through an individual or unlicensed vendor.

Presently, a private seller can rent table space and carry a “private sale” or other sign that indicates to purchasers that no paperwork, background check, or recordkeeping are required. It is estimated that 25-50% of gun show sales are from unlicensed or private individual sellers. The guns used in the Columbine High School, 101 California Street, and 2010 Pentagon shooting were all purchased at gun shows with no background check conducted.

In states that require background checks on all handgun sales there were significantly fewer firearm deaths:

- 47% fewer women were shot to death by their intimate partner
- 47% fewer individuals committed suicide with a firearm
- 53% fewer police officers shot and killed in the line of duty

Despite overwhelming public support for universal background checks, Texas does not currently require background checks for firearms sold or traded at gun shows by private individuals or unlicensed vendors.

- On March 18, 2018, President Donald Trump tweeted, "very strong improvement and strengthening of background checks will be fully backed by the White House."
- On February 26, 2019, Mayor Turner, along with 270 other Mayors from across the country, signed a support letter urging the US Senate to pass Universal Background Check Legislation, specifically H.R. 8.
- On September 12, 2019, the CEOs of 145 companies wrote to House & Senate leaders saying new laws that would require background checks on all gun sales "are a commonsense solution with overwhelming public support and are a critical step toward stemming the gun violence epidemic in this country."

As Texans, we know first-hand that sitting back and waiting on Washington isn't how we get things done.

In Texas, we should follow the example of the Lt. Governor and use “common sense” for stranger-to-stranger sales being vetted through a federal database before a firearm purchase.

In Texas, we can send a message that Texans can come together on even the most difficult issues.

In Texas, we could lead on an issue that unites both gun owners and gun safety advocates.

Our Commission believes the Legislature should enact a new Safe Storage Law, Red Flag Law, a ban on 3D Printer Firearms or “Ghost Guns,” and until the federal government acts, close the background checks loophole with gun show purchases. But the focus of today is on background checks, and that is something we can agree on.

Remember, in Texas, we had two mass shootings in Texas in less than a month — one in El Paso and one in Midland-Odessa.

The time is always right to do the right thing. The City of Houston is proud to support House Bill 118.

Bill Kelly
Director of Government Relations, City of Houston
Mayor's Office