

BILL ANALYSIS

H.B. 1509
By: Sheets
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that currently a guest on the premises of another person or a passenger in a motor vehicle or watercraft may not carry a handgun, even with the express permission of the owner or controller of such premises or vehicles. These parties contend that such a prohibition leaves a guest or passenger on such premises or vehicles vulnerable to a potential threat and that those persons should be allowed the same opportunity for protection that is provided to owners and controllers as long as they are carrying the handgun with the permission of an owner or controller. H.B. 1509 seeks to provide those guests and passengers with that opportunity.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1509 amends the Penal Code to expand the circumstances in which a person's intentional, knowing, or reckless carrying of a handgun, illegal knife, or club does not constitute an unlawful carrying of weapons offense to include when the person is on premises owned by or under the control of another person or inside of or directly en route to a motor vehicle or watercraft owned by or under the control of another person, provided that the owner or the person in control of the premises, motor vehicle, or watercraft consents to the carrying of the weapon. The bill removes the intentional, knowing, or reckless carrying of a handgun in plain view in a motor vehicle or watercraft that is owned by the person carrying the handgun or under the person's control from the conduct constituting an unlawful carrying of weapons offense.

EFFECTIVE DATE

September 1, 2015.