

SUBJECT: Handgun laws for licensed volunteer emergency services personnel

COMMITTEE: Homeland Security and Public Safety — committee substitute recommended

VOTE: 9 ayes — Phillips, Nevárez, Burns, Dale, Johnson, Metcalf, Moody, M. White, Wray

0 nays

WITNESSES: For — Dirk Robison; (*Registered, but did not testify*: Gina Holcomb and Terry Holcomb, Texas Carry)

Against — None

On — Kent Birdsong; (*Registered, but did not testify*: Sherrie Zgabay and Oscar Ybarra, Texas Department of Public Safety; Shannon Edmonds, Texas District and County Attorneys Association)

BACKGROUND: Under Penal Code sec. 46.15(a), certain state employees already are exempted from the offenses of unlawful carrying of weapons and carrying weapons on certain prohibited premises.

DIGEST: CSHB 353 would except volunteer emergency services personnel from having a tort claim brought against them based on their discharge of a handgun if the emergency services personnel was licensed to carry a concealed handgun.

The bill would create a defense to prosecution for volunteer emergency services personnel with a concealed handgun license to the offenses of:

- trespass by a license holder who carried a concealed handgun onto another's property without effective consent;
- carrying a handgun on certain premises if they were engaged in providing emergency services; and
- carrying a handgun at any meeting of a government entity if they

were engaged in providing emergency services.

CSHB 353 would exempt volunteer emergency services personnel from the offenses of unlawful carrying of weapons and carrying weapons on certain prohibited premises if they were a concealed handgun license holder and engaged in providing emergency services.

The bill would define volunteer emergency services personnel to include a volunteer firefighter, an emergency medical services volunteer, and other individuals who voluntarily provided services for the public during emergencies.

The bill would take effect September 1, 2015, and would apply only to an offense committed on or after that date.