

BILL ANALYSIS

Senate Research Center

C.S.S.B. 501
By: Armbrister
Criminal Justice
3/12/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Current Texas law regarding concealed handgun licenses lacks clarifying language regarding where a license holder may lawfully carry a handgun. C.S.S.B. 501 provides uniformity and consistency in Texas' concealed handgun license law for both licensees and law enforcement.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 30.05, Penal Code, by adding Subsection (f), as follows:

(f) Provides that it is an exception to the application of this section regarding criminal trespass that:

- (1) the basis on which entry on the property or land was forbidden is that entry with a handgun was forbidden; and
- (2) the person was carrying a concealed handgun and a license issued under Chapter 411H (License to Carry a Concealed Handgun), Government Code, to carry a concealed handgun of the same category the person was carrying.

SECTION 2. Amends Section 30.06, Penal Code, by adding Subsection (e), to provide that it is an exception to the application of this section when a license holder carries a handgun on a property owned or leased by a governmental entity and does not constitute premises of property described by Section 46.03 (Places Weapons Prohibited) or 46.035 (Unlawful Carrying of Handgun by License Holder). Defines "premises."

SECTION 3. Amends Section 46.03(a)(3), Penal Code, to provide that a person commits an offense if the person possesses certain weapons on the premises of any government court or offices utilized by the court, rather than in any government court or office utilized by the court, unless pursuant to written regulations or authorization.

SECTION 4. Effective date: September 1, 2003.
Makes application of this Act prospective.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Differs from original bill by deleting proposed Section 30.05(f)(1) and redesignating proposed (f)(2) and (f)(3) as (f)(1) and (f)(2).

SECTION 2. Differs from original bill in proposed Section 30.06(e) by adding the phrase “does not constitute premises” to the description of government property and by defining “premises.”

SECTION 3. Differs from original SECTION 3, which provided the effective date, and by amending Section 46.03(a)(3), Penal Code.

Differs from original bill by redesignating SECTION 3 as SECTION 4.