

BILL ANALYSIS

Senate Research Center
83R13095 ADM-F

C.S.S.B. 231
By: Carona
Criminal Justice
3/13/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Penal Code makes it a criminal offense to carry a handgun in plain view, or to carry a firearm or certain other weapons in areas such as a school, polling place, or court of law. However, the majority of Texas judges who hold a concealed handgun license have generally been excepted from this offense. Certain associate judges, masters, and magistrates were not covered under these exceptions.

C.S.S.B. 231 amends Section 411.201 of the Government Code to provide that a Chapter 54 (Masters; Magistrates; Referees; Associate Judges) or Chapter 54A (Associate Judges) associate judge, or a master or magistrate under Chapter 54 who holds a concealed handgun license may carry an approved weapon in the same manner and locations as other judges in the state.

C.S.S.B. 231 amends current law relating to the applicability of certain concealed handgun laws to certain associate judges and other judicial personnel.

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 411.201(a)(1), Government Code, to redefine "active judicial officer" to include a person appointed and serving as an associate judge under Chapter 201 (Associate Judge), Family Code, or Chapter 54 (Masters; Magistrates; Referees; Associate Judges) or Chapter 54A (Associate Judges) or a master or magistrate under Chapter 54.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2013.