

By: Capriglione

H.B. No. 1920

A BILL TO BE ENTITLED

AN ACT

relating to the offense of possessing a weapon in a secured area of an airport.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 46.03(c)(3), Penal Code, is amended to read as follows:

(3) "Secured area" means an area of an airport terminal building to which access is controlled by the inspections of persons and property under federal law, or an aircraft parking area that is used by common carriers in air transportation but not by general aviation and to which access is controlled under federal law. The term does not include a baggage claim area, a motor vehicle parking area used by passengers, employees, or persons awaiting an arrival, or an area used by the public to pick up or drop off passengers or employees.

SECTION 2. Section 46.03(e), Penal Code, is amended to read as follows:

(e) It is a defense to prosecution under Subsection (a)(5) that the actor:

(1) checked all firearms as baggage in accordance with federal or state law or regulations before entering a secured area;  
or

(2) was authorized by a federal agency or the airport operator to possess a firearm in a secured area.

1           SECTION 3. The change in law made by this Act applies only  
2 to an offense committed on or after the effective date of this Act.  
3 An offense committed before the effective date of this Act is  
4 governed by the law in effect on the date the offense was committed,  
5 and the former law is continued in effect for that purpose. For  
6 purposes of this section, an offense was committed before the  
7 effective date of this Act if any element of the offense occurred  
8 before that date.

9           SECTION 4. This Act takes effect September 1, 2021.