

By: Guillen

H.B. No. 2993

A BILL TO BE ENTITLED

AN ACT

relating to the carrying of a handgun by a county commissioner in certain locations.

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

SECTION 1. Section 46.15(a), Penal Code, as amended by Chapters 501 (H.B. 2291), 765 (H.B. 4504), and 1077 (S.B. 599), Acts of the 88th Legislature, Regular Session, 2023, is reenacted and amended to read as follows:

(a) Sections 46.02 and 46.03 do not apply to:

(1) peace officers or special investigators under Article 2A.002, Code of Criminal Procedure, and neither section prohibits a peace officer or special investigator from carrying a weapon in this state, including in an establishment in this state serving the public, regardless of whether the peace officer or special investigator is engaged in the actual discharge of the officer's or investigator's duties while carrying the weapon;

(2) parole officers, and neither section prohibits an officer from carrying a weapon in this state if the officer is:

(A) engaged in the actual discharge of the officer's duties while carrying the weapon; and

(B) in compliance with policies and procedures adopted by the Texas Department of Criminal Justice regarding the possession of a weapon by an officer while on duty;

(3) community supervision and corrections department

1 officers appointed or employed under Section 76.004, Government
2 Code, and neither section prohibits an officer from carrying a
3 weapon in this state if the officer is:

4 (A) engaged in the actual discharge of the
5 officer's duties while carrying the weapon; and

6 (B) authorized to carry a weapon under Section
7 76.0051, Government Code;

8 (4) an active or retired judicial officer as defined
9 by Section 411.201, Government Code, who is licensed to carry a
10 handgun under Subchapter H, Chapter 411, Government Code;

11 (5) an honorably retired peace officer or other
12 qualified retired law enforcement officer, as defined by 18 U.S.C.
13 Section 926C, who holds a certificate of proficiency issued under
14 Section 1701.357, Occupations Code, and is carrying a photo
15 identification that is issued by a federal, state, or local law
16 enforcement agency, as applicable, and that verifies that the
17 officer is an honorably retired peace officer or other qualified
18 retired law enforcement officer;

19 (6) the attorney general or a United States attorney,
20 district attorney, criminal district attorney, county attorney, or
21 municipal attorney who is licensed to carry a handgun under
22 Subchapter H, Chapter 411, Government Code;

23 (7) an assistant United States attorney, assistant
24 attorney general, assistant district attorney, assistant criminal
25 district attorney, or assistant county attorney who is licensed to
26 carry a handgun under Subchapter H, Chapter 411, Government Code;

27 (8) a bailiff designated by an active judicial officer

as defined by Section 411.201, Government Code, who is:

(A) licensed to carry a handgun under Subchapter H, Chapter 411, Government Code; and

(B) engaged in escorting the judicial officer;

(9) a juvenile probation officer who is authorized to carry a firearm under Section 142.006, Human Resources Code;

(10) a person who is volunteer emergency services personnel if the person is:

(A) carrying a handgun under the authority of Subchapter H, Chapter 411, Government Code; and

(B) engaged in providing emergency services;

~~[or]~~

(11) a person who:

(A) retired after serving as a judge or justice described by Section 411.201(a)(1), Government Code; and

(B) is licensed to carry a handgun under Subchapter H, Chapter 411, Government Code;

(12) ~~(11)~~ a district or county clerk who is carrying a handgun the clerk is licensed to carry under Subchapter H, Chapter 411, Government Code; or

(13) a county commissioner who is carrying a handgun the commissioner is licensed to carry under Subchapter H, Chapter 411, Government Code.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed,

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1 and the former law is continued in effect for that purpose. For
2 purposes of this section, an offense was committed before the
3 effective date of this Act if any element of the offense occurred
4 before that date.

5 SECTION 3. This Act takes effect September 1, 2025.