

By: Hupp, Allen, Wilson, Driver, Keel, et al.

H.B. No. 878

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the application of criminal trespass laws to persons  
3 licensed to carry a concealed handgun.

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

5 SECTION 1. Section 30.05, Penal Code, is amended by adding  
6 Subsection (f) to read as follows:

7 (f) It is an exception to the application of this section  
8 that:

9 (1) the property or land on which the person entered  
10 was owned or leased by a governmental entity and was not property or  
11 land described by Section 46.03 or 46.035;

12 (2) the basis on which entry on the property or land  
13 was forbidden is that entry with a handgun was forbidden; and

14 (3) the person was carrying a concealed handgun and a  
15 license issued under Subchapter H, Chapter 411, Government Code, to  
16 carry a concealed handgun of the same category the person was  
17 carrying.

18 SECTION 2. Section 30.06, Penal Code, is amended by adding  
19 Subsection (e) to read as follows:

20 (e) It is an exception to the application of this section  
21 that the property on which the license holder carries a handgun is  
22 owned or leased by a governmental entity and is not property  
23 described by Section 46.03 or 46.035.

24 SECTION 3. (a) This Act takes effect September 1, 2003.

1           (b) The change in law made by this Act applies only to an  
2 offense committed on or after September 1, 2003. An offense  
3 committed before September 1, 2003, is covered by the law in effect  
4 when the offense was committed, and the former law is continued in  
5 effect for that purpose. For purposes of this subsection, an  
6 offense was committed before September 1, 2003, if any element of  
7 the offense was committed before that date.